

## STATE OF MINNESOTA

## EIGHTY-EIGHTH SESSION — 2014

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 ONE HUNDREDTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 8, 2014

The House of Representatives convened at 10:00 a.m. and was called to order by Paul Thissen, Speaker of the House.

Prayer was offered by Pastor Craig Moore, Life Assembly of God Church, St. Cloud, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

|              |              |             |            |            |              |
|--------------|--------------|-------------|------------|------------|--------------|
| Abeler       | Dettmer      | Hausman     | Liebling   | Newberger  | Scott        |
| Albright     | Dill         | Hertaus     | Lien       | Newton     | Selcer       |
| Allen        | Dorholt      | Hilstrom    | Lillie     | Nornes     | Simon        |
| Anderson, M. | Drazkowski   | Holberg     | Loeffler   | Norton     | Simonson     |
| Anderson, P. | Erhardt      | Hoppe       | Lohmer     | O'Driscoll | Slocum       |
| Anderson, S. | Erickson, R. | Hornstein   | Loon       | O'Neill    | Sundin       |
| Anzelc       | Erickson, S. | Hortman     | Mahoney    | Paymar     | Swedzinski   |
| Atkins       | Fabian       | Howe        | Mariani    | Pelowski   | Theis        |
| Barrett      | Falk         | Huntley     | Marquart   | Peppin     | Torkelson    |
| Benson, J.   | Faust        | Isaacson    | Masin      | Persell    | Uglen        |
| Benson, M.   | Fischer      | Johnson, B. | McDonald   | Petersburg | Urdahl       |
| Bernardy     | Franson      | Johnson, C. | McNamar    | Poppe      | Wagenius     |
| Bly          | Freiberg     | Johnson, S. | McNamara   | Pugh       | Ward, J.A.   |
| Brynaert     | Fritz        | Kahn        | Melin      | Quam       | Ward, J.E.   |
| Carlson      | Garofalo     | Kelly       | Metsa      | Radinovich | Wills        |
| Clark        | Green        | Kieffer     | Moran      | Rosenthal  | Winkler      |
| Cornish      | Gruenhagen   | Kiel        | Morgan     | Runbeck    | Woodard      |
| Daudt        | Gunther      | Kresha      | Mullery    | Sanders    | Yarusso      |
| Davids       | Hackbarth    | Laine       | Murphy, E. | Savick     | Zellers      |
| Davnie       | Halverson    | Leidiger    | Murphy, M. | Sawatzky   | Zerwas       |
| Dean, M.     | Hamilton     | Lenczewski  | Myhra      | Schoen     | Spk. Thissen |
| Dehn, R.     | Hansen       | Lesch       | Nelson     | Schomacker |              |

A quorum was present.

FitzSimmons was excused.

Beard was excused until 11:20 a.m. Mack was excused until 11:35 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

**REPORTS OF CHIEF CLERK**

S. F. No. 1722 and H. F. No. 2324, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Yarusso moved that S. F. No. 1722 be substituted for H. F. No. 2324 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2422 and H. F. No. 2521, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

**SUSPENSION OF RULES**

Lesch moved that the rules be so far suspended that S. F. No. 2422 be substituted for H. F. No. 2521 and that the House File be indefinitely postponed. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 1722 and 2422 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Falk, Sawatzky, McNamar, Torkelson, Swedzinski and Urdahl introduced:

H. F. No. 3378, A bill for an act relating to capital investment; appropriating money for a regional public television station in Appleton; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance and Policy.

Nornes and Franson introduced:

H. F. No. 3379, A bill for an act relating to environment; modifying state permit requirements for certain campgrounds; amending Minnesota Statutes 2012, section 115.55, subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Persell moved that the House recess subject to the call of the Chair. The motion prevailed.

**RECESS****RECONVENED**

The House reconvened and was called to order by the Speaker.

**MESSAGES FROM THE SENATE**

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2318, A bill for an act relating to school board elections; authorizing Special School District No. 6, South St. Paul, to dissolve election districts.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2912, A bill for an act relating to liens; regulating liens on personal property; providing for the sale of a motor vehicle held by a licensed dealer; amending Minnesota Statutes 2012, section 514.21.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2446, A bill for an act relating to public safety; granting the Board of Pharmacy cease and desist authority to prevent the sale of synthetic drugs; modifying laws governing misbranding drugs, adulterated drugs; expanding the definition of drug; repealing the sunset and legislative reporting requirement for the Board of Pharmacy's emergency drug scheduling authority; providing for mandatory restitution when a person is convicted for selling controlled substance under false pretense of being legal; establishing a public education plan; appropriating money; amending Minnesota Statutes 2012, sections 151.01, subdivision 5; 151.06, subdivision 1a, by adding a subdivision; 151.26, subdivision 1; 151.34; 151.35; 151.36; 152.02, subdivision 8b; proposing coding for new law in Minnesota Statutes, chapter 152.

JOANNE M. ZOFF, Secretary of the Senate

Simonson moved that the House refuse to concur in the Senate amendments to H. F. No. 2446, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 693, A bill for an act relating to civil actions; providing for the survival or continuation of an action after the death or disability of a party; proposing coding for new law in Minnesota Statutes, chapter 540; repealing Minnesota Statutes 2012, section 573.01.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Dziedzic, Metzen and Westrom.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

JOANNE M. ZOFF, Secretary of the Senate

Atkins moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 693. The motion prevailed.

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2642, A bill for an act relating to gambling; making clarifying, conforming, and technical changes relating to lawful gambling; modifying games, prizes, and regulatory provisions; prohibiting sale of lottery tickets online and at play at the pump devices; amending Minnesota Statutes 2012, sections 349.12, subdivision 18, by adding subdivisions; 349.16, by adding a subdivision; 349.163, by adding subdivisions; 349.1635, subdivision 4; 349.17, subdivisions 5, 6, 9; 349.1711, subdivisions 1, 2; 349.1721, subdivision 4; 349.173; 349.181, subdivision 3; 349.19, subdivision 11; 349.211, subdivisions 1, 1a, 2, by adding a subdivision; 349A.13; Minnesota Statutes 2013 Supplement, section 349.19, subdivisions 2, 10; repealing Minnesota Statutes 2012, sections 349.169; 349.19, subdivision 9.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Pappas, Eaton and Chamberlain.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

JOANNE M. ZOFF, Secretary of the Senate

Atkins moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2642. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 2546.

JOANNE M. ZOFF, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 2546, A bill for an act relating to public safety; modifying and clarifying predatory offender registration requirements; clarifying sentence for crime of criminal sexual conduct in the third degree; amending Minnesota Statutes 2012, section 609.344, subdivisions 1, 2; Minnesota Statutes 2013 Supplement, section 243.166, subdivisions 1b, 3a, 4, 6.

The bill was read for the first time.

Slocum moved that S. F. No. 2546 and H. F. No. 2574, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### CALENDAR FOR THE DAY

S. F. No. 2322, A bill for an act relating to civil actions; regulating certain human rights actions; requiring jury trials; amending Minnesota Statutes 2012, section 363A.33, subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 79 yeas and 51 nays as follows:

Those who voted in the affirmative were:

|            |              |             |            |            |              |
|------------|--------------|-------------|------------|------------|--------------|
| Abeler     | Dorholt      | Hornstein   | Mahoney    | Newton     | Slocum       |
| Allen      | Erhardt      | Hortman     | Mariani    | Norton     | Sundin       |
| Anzelc     | Erickson, R. | Huntley     | Marquart   | Paymar     | Torkelson    |
| Atkins     | Falk         | Isaacson    | Masin      | Pelowski   | Wagenius     |
| Benson, J. | Faust        | Johnson, C. | McNamar    | Persell    | Ward, J.A.   |
| Bernardy   | Fischer      | Johnson, S. | McNamara   | Poppe      | Ward, J.E.   |
| Bly        | Freiberg     | Kahn        | Melin      | Radinovich | Winkler      |
| Brynaert   | Fritz        | Laine       | Metsa      | Rosenthal  | Yarusso      |
| Carlson    | Gunther      | Lenczewski  | Moran      | Savick     | Spk. Thissen |
| Clark      | Halverson    | Lesch       | Morgan     | Sawatzky   |              |
| Cornish    | Hamilton     | Liebling    | Mullery    | Schoen     |              |
| Davnie     | Hansen       | Lien        | Murphy, E. | Selcer     |              |
| Dehn, R.   | Hausman      | Lillie      | Murphy, M. | Simon      |              |
| Dill       | Hilstrom     | Loeffler    | Nelson     | Simonson   |              |

Those who voted in the negative were:

|              |              |             |            |            |         |
|--------------|--------------|-------------|------------|------------|---------|
| Albright     | Dettmer      | Hertaus     | Leidiger   | Peppin     | Uglen   |
| Anderson, M. | Drazkowski   | Holberg     | Lohmer     | Pugh       | Urdahl  |
| Anderson, P. | Erickson, S. | Hoppe       | Loon       | Quam       | Wills   |
| Anderson, S. | Fabian       | Howe        | McDonald   | Runbeck    | Woodard |
| Barrett      | Franson      | Johnson, B. | Myhra      | Sanders    | Zellers |
| Benson, M.   | Garofalo     | Kelly       | Newberger  | Schomacker | Zerwas  |
| Daudt        | Green        | Kieffer     | Nornes     | Scott      |         |
| Davids       | Gruenhagen   | Kiel        | O'Driscoll | Swedzinski |         |
| Dean, M.     | Hackbarth    | Kresha      | O'Neill    | Theis      |         |

The bill was passed and its title agreed to.

S. F. No. 2423 was reported to the House.

Johnson, B., moved to amend S. F. No. 2423, the second engrossment, as follows:

Page 3, line 10, delete "may" and insert "shall" and delete "a representative" and insert "the commissioner of corrections"

Page 3, line 11, delete everything before the period

Page 3, line 15, after the first semicolon, insert "University of Minnesota Department of Pediatrics;"

Page 3, line 16, delete "and" and before the period, insert "; and other parties with interest or relevant subject matter expertise"

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend S. F. No. 2423, the second engrossment, as follows:

Page 3, line 13, after the period, insert "The committee shall also study the fiscal and practical implications for a correctional facility to implement the following policies:"

Page 3, after line 13, insert:

"(1) allow an infant to remain with the mother during the mother's incarceration; and

(2) allow a mother to breast-feed her infant or express, store, and transport her milk for her infant."

The motion did not prevail and the amendment was not adopted.

S. F. No. 2423, A bill for an act relating to public safety; addressing the needs of incarcerated women related to pregnancy and childbirth; authorizing an advisory committee; proposing coding for new law in Minnesota Statutes, chapter 241.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |              |             |            |            |              |
|--------------|--------------|-------------|------------|------------|--------------|
| Abeler       | Dettmer      | Hertaus     | Lillie     | Nornes     | Simonson     |
| Albright     | Dill         | Hilstrom    | Loeffler   | Norton     | Slocum       |
| Allen        | Dorholt      | Holberg     | Lohmer     | O'Driscoll | Sundin       |
| Anderson, M. | Drazkowski   | Hoppe       | Loon       | O'Neill    | Swedzinski   |
| Anderson, P. | Erhardt      | Hornstein   | Mack       | Paymar     | Theis        |
| Anderson, S. | Erickson, R. | Hortman     | Mahoney    | Pelowski   | Torkelson    |
| Anzelc       | Erickson, S. | Howe        | Mariani    | Peppin     | Uglem        |
| Atkins       | Fabian       | Huntley     | Marquart   | Persell    | Urdahl       |
| Barrett      | Falk         | Isaacson    | Masin      | Petersburg | Wagenius     |
| Beard        | Faust        | Johnson, B. | McDonald   | Poppe      | Ward, J.A.   |
| Benson, J.   | Fischer      | Johnson, C. | McNamar    | Pugh       | Ward, J.E.   |
| Benson, M.   | Franson      | Johnson, S. | McNamara   | Quam       | Wills        |
| Bernardy     | Freiberg     | Kahn        | Melin      | Radinovich | Winkler      |
| Bly          | Fritz        | Kelly       | Metsa      | Rosenthal  | Woodard      |
| Brynaert     | Garofalo     | Kieffer     | Moran      | Runbeck    | Yarusso      |
| Carlson      | Green        | Kiel        | Morgan     | Sanders    | Zellers      |
| Clark        | Gruenhagen   | Kresha      | Mullery    | Savick     | Zerwas       |
| Cornish      | Gunther      | Laine       | Murphy, E. | Sawatzky   | Spk. Thissen |
| Daudt        | Hackbarth    | Leidiger    | Murphy, M. | Schoen     |              |
| Davids       | Halverson    | Lenczewski  | Myhra      | Schomacker |              |
| Davnie       | Hamilton     | Lesch       | Nelson     | Scott      |              |
| Dean, M.     | Hansen       | Liebling    | Newberger  | Selcer     |              |
| Dehn, R.     | Hausman      | Lien        | Newton     | Simon      |              |

The bill was passed and its title agreed to.

S. F. No. 1740 was reported to the House.

Atkins moved to amend S. F. No. 1740, the second engrossment, as follows:

Page 1, delete lines 12 to 16 and insert:

"(b) "Smart phone" means a cellular phone or other mobile device that: (1) is built on a smart phone mobile operating system; (2) possesses advanced computing capability; (3) enables network connectivity; and (4) is capable of operating on a long-term evolution network and successor wireless data network communication standards. Capabilities a smart phone may possess include, but are not limited to, built-in applications, Internet access, digital voice service, text messaging, e-mail, and Web browsing. "Smart phone" does not include a phone commonly referred to as a feature or messaging phone, or a device that has only electronic reading capability."

Page 1, line 20, delete "and easily operable by people with disabilities"

Page 1, delete lines 21 and 22

Page 2, line 8, before the period, insert ", and must describe the technology or functions included to ensure the baseline antitheft tool is easily operable by individuals with disabilities"

The motion prevailed and the amendment was adopted.

There being no objection, S. F. No. 1740 was temporarily laid over on the Calendar for the Day.

S. F. No. 1740 which was temporarily laid over earlier today on the Calendar for the Day was again reported to the House.

#### MOTION FOR RECONSIDERATION

Atkins moved that the vote whereby the Atkins amendment to S. F. No. 1740, the second engrossment, as amended, was adopted be now reconsidered. The motion prevailed.

Atkins withdrew his amendment to S. F. No. 1740.

Atkins moved to amend S. F. No. 1740, the second engrossment, as follows:

Page 1, delete lines 12 to 16 and insert:

"(b) "Smart phone" means a cellular phone or other mobile device that: (1) is built on a smart phone mobile operating system; (2) possesses advanced computing capability; (3) enables network connectivity; and (4) is capable of operating on a long-term evolution network and successor wireless data network communication standards. Capabilities a smart phone may possess include, but are not limited to, built-in applications, Internet access, digital voice service, text messaging, e-mail, and Web browsing. Smart phone does not include a phone commonly referred to as a feature or messaging phone, a laptop computer, a tablet device, or a device that has only electronic reading capability."

Page 1, line 20, delete "and easily operable by people with disabilities"

Page 1, delete lines 21 and 22

Page 2, line 8, before the period, insert ", and must describe the technology or functions included to ensure the baseline antitheft tool is easily operable by individuals with disabilities"

Page 2, after line 21, insert:

"(e) "Repair and refurbishment program" means a program, offered by a CMRS provider, manufacturer, or retailer who is not primarily engaged in purchasing personal property of any type from a person who is not a wholesaler, through which used or previously owned wireless communications devices are restored to good working order."

Page 2, line 22, delete "(e)" and insert "(f)"

Page 2, line 27, delete "(f)" and insert "(g)"

Page 2, line 30, delete "(g)" and insert "(h)"

Page 2, line 32, delete "(h)" and insert "(i)"

Page 6, line 6, after "trade-in" insert "or a repair and refurbishment"

Atkins moved to amend his amendment to S. F. No. 1740, the second engrossment, as follows:

Page 1, after line 21, insert:

"Page 2, line 25, after the first "for" insert "either (1)"

Page 2, line 26, before the period, insert ", or (2) a rebate from a manufacturer on the purchase of one of the manufacturer's wireless communications devices"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Atkins amendment, as amended, to S. F. No. 1740, the second engrossment. The motion prevailed and the amendment, as amended, was adopted.

S. F. No. 1740, A bill for an act relating to telecommunications; consumer protection; requiring antitheft functionality for smart phones to deter theft; establishing requirements for acquisition and resale of wireless communications devices; proposing coding for new law in Minnesota Statutes, chapters 325E; 325F.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 73 yeas and 58 nays as follows:

Those who voted in the affirmative were:

|            |              |             |            |            |              |
|------------|--------------|-------------|------------|------------|--------------|
| Abeler     | Erhardt      | Isaacson    | Marquart   | Paymar     | Sundin       |
| Allen      | Erickson, R. | Johnson, C. | Masin      | Pelowski   | Uglen        |
| Anzelc     | Falk         | Johnson, S. | McNamar    | Persell    | Wagenius     |
| Atkins     | Faust        | Kahn        | Melin      | Poppe      | Ward, J.A.   |
| Benson, J. | Fischer      | Laine       | Metsa      | Radinovich | Ward, J.E.   |
| Bernardy   | Freiberg     | Lenczewski  | Moran      | Rosenthal  | Winkler      |
| Bly        | Fritz        | Lesch       | Morgan     | Savick     | Yarusso      |
| Carlson    | Halverson    | Liebling    | Mullery    | Sawatzky   | Spk. Thissen |
| Clark      | Hansen       | Lien        | Murphy, E. | Schoen     |              |
| Davnie     | Hausman      | Lillie      | Murphy, M. | Selcer     |              |
| Dehn, R.   | Hilstrom     | Loeffler    | Nelson     | Simon      |              |
| Dill       | Hortman      | Mahoney     | Newton     | Simonson   |              |
| Dorholt    | Huntley      | Mariani     | Norton     | Slocum     |              |

Those who voted in the negative were:

|              |              |             |           |            |            |
|--------------|--------------|-------------|-----------|------------|------------|
| Albright     | Dean, M.     | Hackbarth   | Kresha    | O'Driscoll | Swedzinski |
| Anderson, M. | Dettmer      | Hamilton    | Leidiger  | O'Neill    | Theis      |
| Anderson, P. | Drazkowski   | Hertaus     | Lohmer    | Peppin     | Torkelson  |
| Anderson, S. | Erickson, S. | Holberg     | Loon      | Petersburg | Urdahl     |
| Barrett      | Fabian       | Hoppe       | Mack      | Pugh       | Wills      |
| Beard        | Franson      | Howe        | McDonald  | Quam       | Woodard    |
| Benson, M.   | Garofalo     | Johnson, B. | McNamara  | Runbeck    | Zellers    |
| Cornish      | Green        | Kelly       | Myhra     | Sanders    | Zerwas     |
| Daudt        | Gruenhagen   | Kieffer     | Newberger | Schomacker |            |
| Davids       | Gunther      | Kiel        | Nornes    | Scott      |            |

The bill was passed, as amended, and its title agreed to.

Holberg was excused for the remainder of today's session.

S. F. No. 2336 was reported to the House.

Atkins moved to amend S. F. No. 2336 as follows:

Page 1, line 17, after "349" insert "or attempts to convert legal gambling into illegal gambling at an establishment licensed under Chapter 340A"

Zellers was excused between the hours of 12:00 p.m. and 3:00 p.m.

Atkins moved to amend his amendment to S. F. No. 2336 as follows:

Page 1, after line 1, insert:

"Page 1, after line 4, insert:

"Section 1. **[297G.031] FARM WINERY.**

Farm wineries licensed under section 340A.315 shall be treated as wholesalers for the excise tax imposed on certain wines. Tax payments and returns are required in relation to samples given and in relation to the sale of wine on the farm winery premises permitted under chapter 340A. Returns must be made in a form and manner prescribed by the commissioner, and must contain any other information required by the commissioner.

**EFFECTIVE DATE.** This section is effective July 1, 2014.

Sec. 2. Minnesota Statutes 2012, section 297G.07, subdivision 1, is amended to read:

Subdivision 1. **Exemptions.** The following are not subject to the excise tax:

- (1) Sales by a manufacturer, brewer, or wholesaler for shipment outside the state in interstate commerce.
- (2) Alcoholic beverages sold or transferred between Minnesota wholesalers.

(3) Sales to common carriers engaged in interstate transportation of passengers, except as provided in this chapter.

(4) Malt beverages served by a brewery for on-premise consumption at no charge, or distributed to brewery employees for on-premise consumption under a labor contract.

(5) Shipments of wine to Minnesota residents under section 340A.417.

(6) Fruit juices naturally fermented or beer naturally brewed in the home for family use and not sold or offered for sale.

(7) Sales of wine for sacramental purposes under section 340A.316.

(8) Alcoholic beverages sold to authorized manufacturers of food products or pharmaceutical firms. The alcoholic beverage must be used exclusively in the manufacture of food products or medicines. For purposes of this clause, "manufacturer" means a person who manufactures food products intended for sale to wholesalers or retailers for ultimate sale to the consumer.

(9) Liqueur-filled candy.

(10) Sales to a federal agency, that the state of Minnesota is prohibited from taxing under the Constitution or laws of the United States or under the Constitution of Minnesota.

(11) Sales to Indian tribes as defined in section 297G.08.

(12) Shipments of intoxicating liquor from foreign countries to diplomatic personnel of foreign countries assigned to service in this state.

(13) Shipments of bulk distilled spirits or bulk wine to farm wineries licensed under section 340A.315 for input to the final product.

**EFFECTIVE DATE.** The amendment to clause (6) is effective the day following final enactment. Clause (13) is effective July 1, 2014.

Sec. 3. Minnesota Statutes 2012, section 340A.101, is amended by adding a subdivision to read:

Subd. 4a. **Bulk distilled spirits.** "Bulk distilled spirits" means distilled spirits in a container having a capacity in excess of one gallon.

**EFFECTIVE DATE.** This section is effective July 1, 2014.

Sec. 4. Minnesota Statutes 2012, section 340A.101, is amended by adding a subdivision to read:

Subd. 4b. **Bulk wine.** "Bulk wine" means wine in a container having a capacity of five or more gallons.

**EFFECTIVE DATE.** This section is effective July 1, 2014.

Sec. 5. **[340A.22] MICRODISTILLERIES.**

Subdivision 1. **Activities.** (a) A microdistillery licensed under section 340A.301, subdivision 6c, may provide on its premises samples of distilled spirits manufactured on its premises, in an amount not to exceed 15 milliliters per variety per person. No more than 45 milliliters may be sampled under this paragraph by any person on any day.

(b) A microdistillery can sell cocktails to the public, pursuant to subdivision 2.

Subd. 2. **Cocktail room license.** (a) A municipality, including a city with a municipal liquor store, may issue the holder of a microdistillery license under section 340A.301, subdivision 6c, a microdistillery cocktail room license. A microdistillery cocktail room license authorizes on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller. Nothing in this subdivision precludes the holder of a microdistillery cocktail room license from also holding a license to operate a restaurant at the distillery. Section 340A.409 shall apply to a license issued under this subdivision. All provisions of this chapter that apply to a retail liquor license shall apply to a license issued under this subdivision unless the provision is explicitly inconsistent with this subdivision.

(b) A distiller may only have one cocktail room license under this subdivision, and may not have an ownership interest in a distillery licensed under section 340A.301, subdivision 6, paragraph (a).

(c) The municipality shall impose a licensing fee on a distiller holding a microdistillery cocktail room license under this subdivision, subject to limitations applicable to license fees under section 340A.408, subdivision 2, paragraph (a).

(d) A municipality shall, within ten days of the issuance of a license under this subdivision, inform the commissioner of the licensee's name and address and trade name, and the effective date and expiration date of the license. The municipality shall also inform the commissioner of a license transfer, cancellation, suspension, or revocation during the license period.

(e) No single entity may hold both a cocktail room and taproom license, and a cocktail room and taproom may not be co-located.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 6. Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 6b, is amended to read:

Subd. 6b. **Brewer taproom license.** (a) A municipality, including a city with a municipal liquor store, may issue the holder of a brewer's license under subdivision 6, clause (c), (i), or (j), a brewer taproom license. A brewer taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. Nothing in this subdivision precludes the holder of a brewer taproom license from also holding a license to operate a restaurant at the brewery. Section 340A.409 shall apply to a license issued under this subdivision. All provisions of this chapter that apply to a retail liquor license shall apply to a license issued under this subdivision unless the provision is explicitly inconsistent with this subdivision.

(b) A brewer may only have one taproom license under this subdivision, and may not have an ownership interest in a brewery licensed under subdivision 6, clause (d).

(c) A municipality may not issue a brewer taproom license to a brewer if the brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.

(d) The municipality shall impose a licensing fee on a brewer holding a brewer taproom license under this subdivision, subject to limitations applicable to license fees under section 340A.408, subdivision 2, paragraph (a).

(e) A municipality shall, within ten days of the issuance of a license under this subdivision, inform the commissioner of the licensee's name and address and trade name, and the effective date and expiration date of the license. The municipality shall also inform the commissioner of a license transfer, cancellation, suspension, or revocation during the license period.

(f) Notwithstanding section 340A.504, subdivision 3, a taproom may be open and may conduct on-sale business on Sundays if authorized by the municipality.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 7. Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 6c, is amended to read:

Subd. 6c. **Microdistilleries.** ~~(a) A microdistillery may provide on its premises samples of distilled spirits manufactured on its premises, in an amount not to exceed 15 milliliters per variety per person. No more than 45 milliliters may be sampled under this paragraph by any person on any day.~~

~~(b)~~ The commissioner shall establish a fee for licensing microdistilleries that adequately covers the cost of issuing the license and other inspection requirements. The fees shall be deposited in an account in the special revenue fund and are appropriated to the commissioner for the purposes of this subdivision.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 8. Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 6d, is amended to read:

Subd. 6d. **Small brewer license.** (a) A brewer licensed under subdivision 6, clause (c), (i), or (j), may be issued a license by a municipality for off-sale of malt liquor at its licensed premises that has been produced and packaged by the brewer. The license must be approved by the commissioner. The amount of malt liquor sold at off-sale may not exceed 500 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. The malt liquor shall be packed in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic adhesive band, strip, or sleeve shall be applied to the container or bottle and extended over the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken upon opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the name and address of the brewer. The containers or bottles shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer selling the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100.

(b) A brewer may, but is not required to, refill any growler with malt liquor for off-sale at the request of a customer. A brewer refilling a growler must do so at its licensed premises and the growler must be filled at the tap at the time of sale. A growler refilled under this paragraph must be sealed and labeled in the manner described in paragraph (a).

~~(b)~~ (c) A brewer may only have one license under this subdivision.

~~(e)~~ (d) A municipality may not issue a license under this subdivision to a brewer if the brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a brewer that brews more than 20,000 barrels of its own brands of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.

~~(d)~~ (e) The municipality shall impose a licensing fee on a brewer holding a license under this subdivision, subject to limitations applicable to license fees under section 340A.408, subdivision 3, paragraph (a).

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 9. Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 7, is amended to read:

Subd. 7. **Interest in other business.** (a) Except as provided in this subdivision, a holder of a license as a manufacturer, brewer, importer, or wholesaler may not have any ownership, in whole or in part, in a business holding a retail intoxicating liquor or 3.2 percent malt liquor license. The commissioner may not issue a license under this section to a manufacturer, brewer, importer, or wholesaler if a retailer of intoxicating liquor has a direct or indirect interest in the manufacturer, brewer, importer, or wholesaler. A manufacturer or wholesaler of intoxicating liquor may use or have property rented for retail intoxicating liquor sales only if the manufacturer or wholesaler has owned the property continuously since November 1, 1933. A retailer of intoxicating liquor may not use or have property rented for the manufacture or wholesaling of intoxicating liquor.

(b) A brewer licensed under subdivision 6, clause (d), may be issued an on-sale intoxicating liquor or 3.2 percent malt liquor license by a municipality for a restaurant operated in the place of manufacture. Notwithstanding section 340A.405, a brewer who holds an on-sale license issued pursuant to this paragraph may, with the approval of the commissioner, be issued a license by a municipality for off-sale of malt liquor produced and packaged on the licensed premises. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. The malt liquor shall be packaged in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic adhesive band, strip, or sleeve shall be applied to the container or bottle and extend over the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken upon opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the name and address of the brewer. The containers or bottles shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer selling the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100. A brewer may, but is not required to, refill any growler with malt liquor for off-sale at the request of a customer. A brewer refilling a growler must do so at its licensed premises and the growler must be filled at the tap at the time of sale. A growler refilled under this paragraph must be sealed and labeled in the manner described in this paragraph. A brewer's total retail sales at on- or off-sale under this paragraph may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels. A brewer licensed under subdivision 6, clause (d), may hold or have an interest in other retail on-sale licenses, but may not have an ownership interest in whole or in part, or be an officer, director, agent, or employee of, any other manufacturer, brewer, importer, or wholesaler, or be an affiliate thereof whether the affiliation is corporate or by management, direction, or control. Notwithstanding this prohibition, a brewer licensed under subdivision 6, clause (d), may be an affiliate or subsidiary company of a brewer licensed in Minnesota or elsewhere if that brewer's only manufacture of malt liquor is:

- (i) manufacture licensed under subdivision 6, clause (d);
- (ii) manufacture in another state for consumption exclusively in a restaurant located in the place of manufacture; or
- (iii) manufacture in another state for consumption primarily in a restaurant located in or immediately adjacent to the place of manufacture if the brewer was licensed under subdivision 6, clause (d), on January 1, 1995.

(c) Except as provided in subdivision 7a, no brewer as defined in subdivision 7a or importer may have any interest, in whole or in part, directly or indirectly, in the license, business, assets, or corporate stock of a licensed malt liquor wholesaler.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 10. Minnesota Statutes 2012, section 340A.301, subdivision 9, is amended to read:

Subd. 9. **Unlicensed manufacture.** (a) Nothing in this chapter requires a license for the natural fermentation of fruit juices or brewing of beer in the home for family use.

(b) Naturally fermented fruit juices or beer made under this subdivision may be removed from the premises where made for use at organized affairs, exhibitions, or competitions, including, but not limited to, homemaker's contests, tastings, or judging.

(c) For purposes of this subdivision, "tastings" means an event where the general public may sample unlicensed naturally fermented fruit juices or beer.

(d) Beverages produced pursuant to this subdivision may be sampled or used in tastings provided that the beverage is made and transported in containers and equipment that shall not allow the migration of toxic substances.

(e) Public notice meeting the requirements of this paragraph must be given in writing or signage at any tasting. The notice shall include disclosure that the unlicensed naturally fermented fruit juices or beer being offered is homemade and not subject to state inspection, and may be consumed by persons over the age of 21 at their own risk. The notice must include the name and address of the person who processed and bottled the beverage.

(f) Naturally fermented fruit juices or beer removed under this subdivision may not be sold or offered for sale.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 11. Minnesota Statutes 2012, section 340A.315, subdivision 2, is amended to read:

Subd. 2. **Sales.** A license authorizes the sale, on the farm winery premises, of table, sparkling, or fortified wines produced by that farm winery at on-sale or off-sale, in retail, or wholesale lots in total quantities not in excess of ~~50,000~~ 75,000 gallons in a calendar year, glassware, wine literature and accessories, cheese and cheese spreads, other wine-related food items, and the dispensing of free samples of the wines offered for sale. Sales at on-sale and off-sale may be made on Sundays between 10:00 a.m. and 12:00 midnight. Labels for each type or brand produced must be registered with the commissioner, without fee prior to sale. A farm winery may provide samples of distilled spirits manufactured pursuant to subdivision 7, on the farm winery premises, but may sell the distilled spirits only through a licensed wholesaler. Samples of distilled spirits may not exceed 15 milliliters per variety.

**EFFECTIVE DATE.** This section is effective July 1, 2014.

Sec. 12. Minnesota Statutes 2012, section 340A.315, is amended by adding a subdivision to read:

Subd. 10. **Storage.** A farm winery may store finished wine and distilled spirits in a noncontiguous warehouse location, provided that the chosen location complies with Minnesota Rules, part 7515.0300, subpart 12, and any other state or federal requirements. Cartage of finished goods between the farm winery and warehouse must be continuously in the possession of a motor carrier of property as defined in section 221.012, subdivision 27, or carried in a motor vehicle owned, leased, or rented by the farm winery.

**EFFECTIVE DATE.** This section is effective July 1, 2014.

Sec. 13. Minnesota Statutes 2012, section 340A.315, is amended by adding a subdivision to read:

Subd. 11. **Bulk wine or distilled spirits.** If no wholesaler is able to provide bulk wine or bulk distilled spirits, a farm winery may purchase either bulk wine or bulk distilled spirits for purposes allowed under this chapter from any available source allowed under federal law.

**EFFECTIVE DATE.** This section is effective July 1, 2014.

Sec. 14. Minnesota Statutes 2012, section 340A.316, is amended to read:

**340A.316 SACRAMENTAL WINE.**

The commissioner may issue a license to a bona fide religious book or supply store for the importation and sale of wine exclusively for sacramental purposes. The holder of a sacramental wine license may sell wine intended by the manufacturer or the wholesaler for sacramental purposes only to a rabbi, priest, or minister of a church, or other established religious organization, if the purchaser certifies in writing that the wine will be used exclusively for sacramental purposes in religious ceremonies. The annual fee for a sacramental wine license is \$50, inclusive of a retail card required under Minnesota Rules, part 7515.0210. A seller of sacramental wine does not need insurance required under section 340A.409. A rabbi, priest, or minister of a church or other established religious organization may import wine exclusively for sacramental purposes without a license.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 15. Minnesota Statutes 2012, section 340A.404, subdivision 2, is amended to read:

Subd. 2. **Special provision; city of Minneapolis.** (a) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Guthrie Theater, the Cricket Theatre, the Orpheum Theatre, the State Theatre, and the Historic Pantages Theatre, notwithstanding the limitations of law, or local ordinance, or charter provision relating to zoning or school or church distances. The licenses authorize sales on all days of the week to holders of tickets for performances presented by the theaters and to members of the nonprofit corporations holding the licenses and to their guests.

(b) The city of Minneapolis may issue an intoxicating liquor license to 510 Groveland Associates, a Minnesota cooperative, for use by a restaurant on the premises owned by 510 Groveland Associates, notwithstanding limitations of law, or local ordinance, or charter provision.

(c) The city of Minneapolis may issue an on-sale intoxicating liquor license to Zuhrah Shrine Temple for use on the premises owned by Zuhrah Shrine Temple at 2540 Park Avenue South in Minneapolis, ~~and to the American Swedish Institute for use on the premises owned by the American Swedish Institute at 2600 Park Avenue South,~~ notwithstanding limitations of law, or local ordinances, or charter provision relating to zoning or school or church distances.

(d) The city of Minneapolis may issue an on-sale intoxicating liquor license to the American Association of University Women, Minneapolis branch, for use on the premises owned by the American Association of University Women, Minneapolis branch, at 2115 Stevens Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provisions relating to zoning or school or church distances.

(e) The city of Minneapolis may issue an on-sale wine license and an on-sale 3.2 percent malt liquor license to a restaurant located at 5000 Penn Avenue South, and an on-sale wine license and an on-sale malt liquor license to a restaurant located at 1931 Nicollet Avenue South, notwithstanding any law or local ordinance or charter provision.

(f) The city of Minneapolis may issue an on-sale wine license and an on-sale malt liquor license to the Brave New Workshop Theatre located at 3001 Hennepin Avenue South, the Theatre de la Jeune Lune, the Illusion Theatre located at 528 Hennepin Avenue South, the Hollywood Theatre located at 2815 Johnson Street Northeast, the Loring Playhouse located at 1633 Hennepin Avenue South, the Jungle Theater located at 2951 Lyndale Avenue South, Brave New Institute located at 2605 Hennepin Avenue South, the Guthrie Lab located at 700 North First Street, and the Southern Theatre located at 1420 Washington Avenue South, notwithstanding any law or local ordinance or charter provision. The license authorizes sales on all days of the week.

(g) The city of Minneapolis may issue an on-sale intoxicating liquor license to University Gateway Corporation, a Minnesota nonprofit corporation, for use by a restaurant or catering operator at the building owned and operated by the University Gateway Corporation on the University of Minnesota campus, notwithstanding limitations of law, or local ordinance or charter provision. The license authorizes sales on all days of the week.

(h) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Walker Art Center's concessionaire or operator, for a restaurant and catering operator on the premises of the Walker Art Center, notwithstanding limitations of law, or local ordinance or charter provisions. The license authorizes sales on all days of the week.

(i) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Guthrie Theater's concessionaire or operator for a restaurant and catering operator on the premises of the Guthrie Theater, notwithstanding limitations of law, local ordinance, or charter provisions. The license authorizes sales on all days of the week.

(j) The city of Minneapolis may issue an on-sale wine license and an on-sale malt liquor license to the Minnesota Book and Literary Arts Building, Inc.'s concessionaire or operator for a restaurant and catering operator on the premises of the Minnesota Book and Literary Arts Building, Inc. (dba Open Book), notwithstanding limitations of law, or local ordinance or charter provision. The license authorizes sales on all days of the week.

(k) The city of Minneapolis may issue an on-sale intoxicating liquor license to a restaurant located at 5411 Penn Avenue South, notwithstanding any law or local ordinance or charter provision.

(l) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Museum of Russian Art's concessionaire or operator for a restaurant and catering operator on the premises of the Museum of Russian Art located at 5500 Stevens Avenue South, notwithstanding any law or local ordinance or charter provision.

(m) The city of Minneapolis may issue an on-sale intoxicating liquor license to the American Swedish Institute or to its concessionaire or operator for use on the premises owned by the American Swedish Institute at 2600 Park Avenue South, notwithstanding limitations of law, or local ordinances, or charter provision relating to zoning or school or church distances.

(n) Notwithstanding any other law, local ordinance, or charter provision, the city of Minneapolis may issue one or more on-sale intoxicating liquor licenses to the Minneapolis Society of Fine Arts (dba Minneapolis Institute of Arts), or to an entity holding a concessions or catering contract with the Minneapolis Institute of Arts for use on the premises of the Minneapolis Institute of Arts. The licenses authorized by this subdivision may be issued for space that is not compact and contiguous, provided that all such space is included in the description of the licensed premises on the approved license application. The licenses authorize sales on all days of the week.

**EFFECTIVE DATE.** This section is effective upon approval by the Minneapolis City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 16. Minnesota Statutes 2012, section 340A.404, subdivision 5, is amended to read:

Subd. 5. **Wine licenses.** (a) A municipality may issue an on-sale wine license with the approval of the commissioner to a restaurant having facilities for seating at least 25 guests at one time. A wine license permits the sale of wine of up to ~~14~~ 24 percent alcohol by volume for consumption ~~with the sale of food~~. A wine license authorizes the sale of wine on all days of the week unless the issuing authority restricts the license's authorization to the sale of wine on all days except Sundays.

(b) The governing body of a municipality may by ordinance authorize a holder of an on-sale wine license issued pursuant to paragraph (a) who is also licensed to sell 3.2 percent malt liquors at on-sale pursuant to section 340A.411, ~~and whose gross receipts are at least 60 percent attributable to the sale of food~~, to sell intoxicating malt liquors at on-sale without an additional license.

(c) A municipality may issue an on-sale wine license with the approval of the commissioner to a licensed bed and breakfast facility. A license under this paragraph authorizes a bed and breakfast facility to furnish wine only to registered guests of the facility and, if the facility contains a licensed commercial kitchen, also to guests attending private events at the facility.

(d) The State Agricultural Society may issue an on-sale wine license to the holder of a state fair concession contract pursuant to section 37.21, subdivision 2.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 17. Minnesota Statutes 2012, section 340A.415, is amended to read:

**340A.415 LICENSE REVOCATION OR SUSPENSION; CIVIL PENALTY.**

On a finding that the license or permit holder has (1) sold alcoholic beverages to another retail licensee for the purpose of resale, (2) purchased alcoholic beverages from another retail licensee for the purpose of resale, (3) conducted or permitted the conduct of gambling on the licensed premises in violation of the law, (4) failed to remove or dispose of alcoholic beverages when ordered by the commissioner to do so under section 340A.508, subdivision 3, or (5) failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages; or the operation of the licensed establishment, or failed to comply with a lawful license condition duly imposed by the authority issuing the license or permit or agreed to by the license or permit holder, the commissioner or the authority issuing a retail license or permit under this chapter may revoke the license or permit, suspend the license or permit for up to 60 days, impose a civil penalty of up to \$2,000 for each violation, or impose any combination of these sanctions. No suspension or revocation takes effect until the license or permit holder has been given an opportunity for a hearing under sections 14.57 to 14.69 of the Administrative Procedure Act. This section does not require a political subdivision to conduct the hearing before an employee of the Office of Administrative Hearings. Imposition of a penalty or suspension by either the issuing authority or the commissioner does not preclude imposition of an additional penalty or suspension by the other so long as the total penalty or suspension does not exceed the stated maximum. Nothing in this section shall be construed to limit the applicability of section 340A.509, except that a local authority may not charge a penalty greater than that allowed in this section.

Sec. 18. Minnesota Statutes 2012, section 340A.508, is amended by adding a subdivision to read:

Subd. 5. **Mixed drinks or cocktails.** Mixed drinks or cocktails mixed on the premises that are not for immediate consumption may be consumed on the licensed premises subject to the requirements of this subdivision. For purposes of this subdivision, a "mixed drink" includes drinks commonly referred to as cocktails, and "infused beverages" are alcoholic beverages flavored through infusion with added ingredients. This subdivision requires that:

(1) the mixed drinks or cocktails be stored, for no longer than 72 hours, in a labeled container in a quantity that does not exceed five gallons;

(2) infused beverages may be stored in containers in a quantity not to exceed five gallons;

(3) added flavors and other nonbeverage ingredients included in the mixed drinks or infused beverages shall not include hallucinogenic substances or added pure or supplemental caffeine or other added stimulants including but not limited to guarana, ginseng, and taurine; and

(4) the licensee keep records as to when the contents in a particular container were mixed and the recipe, including brand names, used for that mixture.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 19. Minnesota Statutes 2012, section 340A.510, subdivision 2, is amended to read:

Subd. 2. **Malt liquor samples authorized.** (a) Notwithstanding section 340A.308, a brewer may purchase from or furnish at no cost to a licensed retailer malt liquor the brewer manufactures if:

(1) the malt liquor is dispensed by the retailer only for samples in a quantity of less than 100 milliliters of malt liquor per variety per customer;

(2) where the brewer furnishes the malt liquor, the retailer makes available for return to the brewer any unused malt liquor and empty containers;

(3) the samples are dispensed by an employee of the retailer or brewer or by a sampling service retained by the retailer or brewer and not affiliated directly or indirectly with a malt liquor wholesaler;

(4) not more than three cases of malt liquor are purchased from or furnished to the retailer by the brewer for each sampling;

(5) each sampling continues for not more than eight hours;

(6) the brewer has furnished malt liquor for not more than ~~five~~ 12 samplings for any retailer in any calendar year;

(7) where the brewer furnishes the malt liquor, the brewer delivers the malt liquor for the sampling to its exclusive wholesaler for that malt liquor;

(8) the brewer has at least seven days before the sampling filed with the commissioner, on a form the commissioner prescribes, written notice of intent to furnish malt liquor for the sampling, which contains (i) the name and address of the retailer conducting the sampling, (ii) the maximum amount of malt liquor to be furnished or purchased by the brewer, (iii) the number of times the brewer has furnished malt liquor to the retailer in the calendar year in which the notice is filed, (iv) the date and time of the sampling, (v) where the brewer furnishes the malt liquor, the exclusive wholesaler to whom the brewer will deliver the malt liquor, and (vi) a statement by the brewer to the effect that to the brewer's knowledge all requirements of this section have been or will be complied with; and

(9) the commissioner has not notified the brewer filing the notice under clause (8) that the commissioner disapproves the notice.

(b) For purposes of this subdivision, "licensed retailer" means a licensed on-sale or off-sale retailer of alcoholic beverages and a municipal liquor store.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

Page 1, after line 3, insert:

"Page 2, after line 12, insert:

"Sec. 21. **BROOKLYN PARK.**

Notwithstanding any law or ordinance to the contrary, the city of Brooklyn Park may issue an on-sale intoxicating liquor license to a wedding event center located at 9500 West River Road North. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license issued under this section.

**EFFECTIVE DATE.** This section is effective upon approval by the Brooklyn Park City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 22. **CITY OF RICHFIELD; ON-SALE LICENSE.**

Notwithstanding any law or ordinance to the contrary, in addition to the number of licenses authorized, the city of Richfield may issue an on-sale wine license and an on-sale malt liquor license to a person who is the owner of a junior hockey league team or to a person holding a concessions or management contract with the city or the team owner, for beverage sales at the Richfield Ice Arena. The licenses must authorize the dispensing of wine or malt liquor only to persons attending events at the arena for consumption on the premises. A license issued under this section authorizes sales on all days of the week to persons attending junior hockey league games at the arena.

**EFFECTIVE DATE.** This section is effective upon timely compliance by the governing body of the city of Richfield and its chief clerical officer with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 23. **SPECIAL CLOSING TIMES; 2014 ALL-STAR GAME.**

During the 2014 Major League Baseball All-Star Game at Target Field, licensing jurisdictions that lie fully or partially within Hennepin County may at their discretion issue special permits for service of alcohol through extended hours lasting until 4:00 a.m. each day. This section is subject to the following conditions:

(1) only holders of an existing on-sale intoxicating liquor license or a 3.2 malt liquor license are eligible for later closing hours;

(2) later closing hours apply only during the period from 12:00 p.m. on July 15, 2014, through 4:00 a.m. on July 16, 2014;

(3) local licensing jurisdictions issuing special permits to operate with extended hours during these days may charge a fee up to but not to exceed \$2,500 for such a permit. In the process of issuing a permit under this section, the licensing jurisdiction may limit approval to specified geographic, zoning, or license classifications within its jurisdiction; and

(4) this section is repealed as of 4:01 a.m. on July 16, 2014.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 24. **SPECIAL LICENSE; GOLDEN VALLEY.**

Notwithstanding any law or ordinance to the contrary, the city of Golden Valley may issue an on-sale license for a golf course and a community center that is located at 200 Brookview Parkway and is owned by the city. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license issued under this section. The city of Golden Valley is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the license as if the establishment were a municipal liquor store.

**EFFECTIVE DATE.** This section is effective upon approval by the Golden Valley City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 25. **REVISOR'S INSTRUCTION.**

The revisor of statutes, with cooperation from the House Research Department and the Office of Senate Counsel, Research, and Fiscal Analysis, shall prepare legislation to create a separate statute, each, for licensing of brew pubs, small brewers, and other providers of alcohol where statutes have, in the opinion of the revisor of statutes, become intermingled beyond sense.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 26. **REPEALER.**

Laws 2012, chapter 235, section 11, is repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Drazkowski raised a point of order pursuant to rule 3.21 that the Atkins amendment to the Atkins amendment was not in order.

The Speaker submitted the following question to the House: "Is it the judgment of the House that the Drazkowski point of order is well taken?"

A roll call was requested and properly seconded.

The vote was taken on the question "Is it the judgment of the House that the Drazkowski point of order is well taken?" and the roll was called. There were 65 yeas and 65 nays as follows:

Those who voted in the affirmative were:

|              |            |          |              |          |            |
|--------------|------------|----------|--------------|----------|------------|
| Albright     | Barrett    | Daudt    | Dettmer      | Fabian   | Green      |
| Anderson, P. | Beard      | Davnie   | Drazkowski   | Franson  | Gruenhagen |
| Anderson, S. | Benson, M. | Dean, M. | Erickson, S. | Garofalo | Gunther    |

|             |            |            |            |            |              |
|-------------|------------|------------|------------|------------|--------------|
| Hackbarth   | Kieffer    | Mack       | Newberger  | Pugh       | Swedzinski   |
| Hamilton    | Kiel       | Marquart   | Newton     | Quam       | Uglem        |
| Hertaus     | Kresha     | McDonald   | Nornes     | Radinovich | Wills        |
| Howe        | Leidiger   | Metsa      | O'Driscoll | Rosenthal  | Woodard      |
| Isaacson    | Lenczewski | Mullery    | O'Neill    | Runbeck    | Yarusso      |
| Johnson, B. | Liebling   | Murphy, E. | Paymar     | Sanders    | Zerwas       |
| Johnson, C. | Lohmer     | Murphy, M. | Peppin     | Scott      | Spk. Thissen |
| Kahn        | Loon       | Myhra      | Petersburg | Selcer     |              |

Those who voted in the negative were:

|              |              |             |          |            |            |
|--------------|--------------|-------------|----------|------------|------------|
| Abeler       | Cornish      | Fritz       | Lesch    | Morgan     | Simonson   |
| Allen        | Dauids       | Halverson   | Lien     | Nelson     | Slocum     |
| Anderson, M. | Dehn, R.     | Hansen      | Lillie   | Norton     | Sundin     |
| Anzelc       | Dill         | Hilstrom    | Loeffler | Pelowski   | Theis      |
| Atkins       | Dorholt      | Hoppe       | Mahoney  | Persell    | Torkelson  |
| Benson, J.   | Erhardt      | Hornstein   | Mariani  | Poppe      | Urdahl     |
| Bernardy     | Erickson, R. | Hortman     | Masin    | Savick     | Wagenius   |
| Bly          | Falk         | Huntley     | McNamar  | Sawatzky   | Ward, J.A. |
| Brynaert     | Faust        | Johnson, S. | McNamara | Schoen     | Ward, J.E. |
| Carlson      | Fischer      | Kelly       | Melin    | Schomacker | Winkler    |
| Clark        | Freiberg     | Laine       | Moran    | Simon      |            |

So it was the judgment of the House that the Drazkowski point of order was not well taken and the Atkins amendment to the Atkins amendment to S. F. No. 2336 was in order.

Drazkowski moved that rule 3.33 be suspended as it relates to S. F. No. 2336.

A roll call was requested and properly seconded.

The question was taken on the Drazkowski motion and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

|              |              |             |            |            |           |
|--------------|--------------|-------------|------------|------------|-----------|
| Abeler       | Dettmer      | Hoppe       | Liebling   | Paymar     | Theis     |
| Albright     | Drazkowski   | Hortman     | Lohmer     | Peppin     | Torkelson |
| Anderson, M. | Erickson, S. | Howe        | Loon       | Petersburg | Uglem     |
| Anderson, P. | Fabian       | Johnson, B. | Mack       | Pugh       | Urdahl    |
| Anderson, S. | Franson      | Johnson, C. | McDonald   | Quam       | Wills     |
| Barrett      | Garofalo     | Kelly       | McNamara   | Rosenthal  | Woodard   |
| Beard        | Green        | Kieffer     | Myhra      | Runbeck    | Zerwas    |
| Benson, M.   | Gruenhagen   | Kiel        | Newberger  | Sanders    |           |
| Daudt        | Gunther      | Kresha      | Nornes     | Schomacker |           |
| Dauids       | Hamilton     | Leidiger    | O'Driscoll | Scott      |           |
| Dean, M.     | Hertaus      | Lenczewski  | O'Neill    | Swedzinski |           |

Those who voted in the negative were:

|            |          |          |              |          |           |
|------------|----------|----------|--------------|----------|-----------|
| Allen      | Bernardy | Clark    | Dill         | Falk     | Fritz     |
| Anzelc     | Bly      | Cornish  | Dorholt      | Faust    | Hackbarth |
| Atkins     | Brynaert | Davnie   | Erhardt      | Fischer  | Halverson |
| Benson, J. | Carlson  | Dehn, R. | Erickson, R. | Freiberg | Hansen    |

|             |          |            |            |          |              |
|-------------|----------|------------|------------|----------|--------------|
| Hausman     | Lesch    | McNamar    | Nelson     | Sawatzky | Ward, J.A.   |
| Hilstrom    | Lien     | Melin      | Newton     | Schoen   | Ward, J.E.   |
| Hornstein   | Lillie   | Metsa      | Norton     | Selcer   | Winkler      |
| Huntley     | Loeffler | Moran      | Pelowski   | Simon    | Yarusso      |
| Isaacson    | Mahoney  | Morgan     | Persell    | Simonson | Spk. Thissen |
| Johnson, S. | Mariani  | Mullery    | Poppe      | Slocum   |              |
| Kahn        | Marquart | Murphy, E. | Radinovich | Sundin   |              |
| Laine       | Masin    | Murphy, M. | Savick     | Wagenius |              |

The motion did not prevail.

The question recurred on the Atkins amendment to his amendment and the roll was called.

Pursuant to rule 2.05, Anderson, M., was excused from voting on the Atkins amendment to the Atkins amendment to S. F. No. 2336.

There were 114 yeas and 16 nays as follows:

Those who voted in the affirmative were:

|              |              |             |            |            |            |
|--------------|--------------|-------------|------------|------------|------------|
| Abeler       | Dill         | Hilstrom    | Loon       | Nornes     | Scott      |
| Albright     | Dorholt      | Hoppe       | Mack       | Norton     | Selcer     |
| Allen        | Drazkowski   | Hornstein   | Mahoney    | O'Driscoll | Simon      |
| Anderson, P. | Erhardt      | Hortman     | Mariani    | O'Neill    | Simonson   |
| Anzelc       | Erickson, R. | Howe        | Marquart   | Paymar     | Slocum     |
| Atkins       | Fabian       | Huntley     | Masin      | Pelowski   | Sundin     |
| Barrett      | Faust        | Isaacson    | McDonald   | Peppin     | Swedzinski |
| Beard        | Fischer      | Johnson, B. | McNamar    | Persell    | Theis      |
| Benson, J.   | Franson      | Johnson, C. | McNamara   | Petersburg | Torkelson  |
| Bernardy     | Freiberg     | Johnson, S. | Melin      | Poppe      | Uglen      |
| Bly          | Fritz        | Kahn        | Metsa      | Pugh       | Urdahl     |
| Brynaert     | Green        | Kelly       | Moran      | Radinovich | Wagenius   |
| Carlson      | Gruenhagen   | Kieffer     | Morgan     | Rosenthal  | Ward, J.A. |
| Clark        | Gunther      | Laine       | Mullery    | Runbeck    | Ward, J.E. |
| Cornish      | Halverson    | Lesch       | Murphy, E. | Sanders    | Wills      |
| Daudt        | Hamilton     | Lien        | Murphy, M. | Savick     | Winkler    |
| Davids       | Hansen       | Lillie      | Myhra      | Sawatzky   | Woodard    |
| Davnie       | Hausman      | Loeffler    | Nelson     | Schoen     | Yarusso    |
| Dehn, R.     | Hertaus      | Lohmer      | Newton     | Schomacker | Zerwas     |

Those who voted in the negative were:

|              |              |           |            |           |              |
|--------------|--------------|-----------|------------|-----------|--------------|
| Anderson, S. | Dettmer      | Garofalo  | Kresha     | Liebling  | Spk. Thissen |
| Benson, M.   | Erickson, S. | Hackbarth | Leidiger   | Newberger |              |
| Dean, M.     | Falk         | Kiel      | Lenczewski | Quam      |              |

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Atkins amendment, as amended, to S. F. No. 2336. The motion prevailed and the amendment, as amended, was adopted.

S. F. No. 2336, A bill for an act relating to lawful gambling; providing for lawful gambling fraud; amending Minnesota Statutes 2012, section 609.763.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Pursuant to rule 2.05, Anderson, M., was excused from voting on final passage of S. F. No. 2336, as amended.

There were 120 yeas and 10 nays as follows:

Those who voted in the affirmative were:

|              |              |             |            |            |              |
|--------------|--------------|-------------|------------|------------|--------------|
| Abeler       | Drazkowski   | Hornstein   | Lohmer     | Newton     | Scott        |
| Albright     | Erhardt      | Hortman     | Loon       | Nornes     | Selcer       |
| Allen        | Erickson, R. | Howe        | Mack       | Norton     | Simon        |
| Anderson, P. | Fabian       | Huntley     | Mahoney    | O'Driscoll | Simonson     |
| Anzelc       | Falk         | Isaacson    | Mariani    | O'Neill    | Slocum       |
| Atkins       | Faust        | Johnson, B. | Marquart   | Paymar     | Sundin       |
| Barrett      | Fischer      | Johnson, C. | Masin      | Pelowski   | Swedzinski   |
| Beard        | Freiberg     | Johnson, S. | McDonald   | Peppin     | Theis        |
| Benson, J.   | Fritz        | Kahn        | McNamar    | Persell    | Torkelson    |
| Bly          | Green        | Kelly       | McNamara   | Petersburg | Uglen        |
| Brynaert     | Gruenhagen   | Kieffer     | Melin      | Poppe      | Urdahl       |
| Carlson      | Gunther      | Kiel        | Metsa      | Pugh       | Wagenius     |
| Clark        | Hackbarth    | Kresha      | Moran      | Radinovich | Ward, J.A.   |
| Cornish      | Halverson    | Laine       | Morgan     | Rosenthal  | Ward, J.E.   |
| Daudt        | Hamilton     | Lenczewski  | Mullery    | Runbeck    | Wills        |
| Davids       | Hansen       | Lesch       | Murphy, E. | Sanders    | Winkler      |
| Davnie       | Hausman      | Liebling    | Murphy, M. | Savick     | Woodard      |
| Dehn, R.     | Hertaus      | Lien        | Myhra      | Sawatzky   | Yarusso      |
| Dill         | Hilstrom     | Lillie      | Nelson     | Schoen     | Zerwas       |
| Dorholt      | Hoppe        | Loeffler    | Newberger  | Schomacker | Spk. Thissen |

Those who voted in the negative were:

|              |          |              |          |          |
|--------------|----------|--------------|----------|----------|
| Anderson, S. | Bernardy | Dettmer      | Franson  | Leidiger |
| Benson, M.   | Dean, M. | Erickson, S. | Garofalo | Quam     |

The bill was passed, as amended, and its title agreed to.

S. F. No. 2192 was reported to the House.

Hortman moved to amend S. F. No. 2192, the fourth engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2542, the third engrossment:

"Section 1. Minnesota Statutes 2012, section 115A.932, subdivision 1, is amended to read:

Subdivision 1. **Prohibitions and recycling requirements.** (a) A person may not place mercury or a ~~thermostat, thermometer, electric switch, appliance, gauge, medical or scientific instrument, fluorescent or high intensity discharge lamp, electric relay, or other electrical~~ mercury-containing device or product, as defined under section 116.92, subdivision 10, from which the mercury has not been removed for reuse or recycling:

- (1) in solid waste; or
- (2) in a wastewater disposal system.

(b) A person may not knowingly place mercury or a ~~thermostat, thermometer, electric switch, appliance, gauge, medical or scientific instrument, fluorescent or high intensity discharge lamp, electric relay, or other electrical mercury-containing device~~ or product, as defined under section 116.92, subdivision 10, from which the mercury has not been removed for reuse or recycling:

- (1) in a solid waste processing facility; or
- (2) in a solid waste disposal facility.

(c) A fluorescent or high-intensity discharge lamp must be recycled by delivery of the lamp to a lamp recycling facility, as defined in section 116.93, subdivision 1, or to a facility that collects and stores lamps for the purpose of delivering them to a lamp recycling facility, including, but not limited to, a household hazardous waste collection or recycling facility, retailer take-back and utility provider program sites, or other sites designated by an electric utility under section 216B.241, subdivisions 2 and 4.

Sec. 2. Minnesota Statutes 2012, section 116.92, subdivision 4, is amended to read:

Subd. 4. **Removal from service; products containing mercury.** (a) When an item listed in ~~subdivision 3~~ this section is removed from service, the mercury in the item must be reused, recycled, or otherwise managed to ensure compliance with section 115A.932.

(b) A person who is in the business of replacing or repairing an item listed in ~~subdivision 3~~ this section in households shall ensure, or deliver the item to a facility that will ensure, that the mercury contained in an item that is replaced or repaired is reused or recycled or otherwise managed in compliance with section 115A.932.

(c) A person may not crush a motor vehicle unless the person has first made a good faith effort to remove all of the mercury switches in the motor vehicle.

(d) An item managed according to the requirements of this section must be transported in a container designed to prevent the escape of mercury into the environment by volatilization or any other means.

Sec. 3. Minnesota Statutes 2012, section 116.92, subdivision 5, is amended to read:

Subd. 5. **Thermostats.** (a) A manufacturer of thermostats that contain mercury or that may replace thermostats that contain mercury is responsible for the costs of collecting and managing the replaced mercury-containing thermostats to ensure that the thermostats do not become part of the solid waste stream.

(b) A manufacturer of thermostats that contain mercury or that may replace thermostats that contain mercury shall, in addition to the requirements of subdivision 3, provide financial and nonfinancial incentives for and sufficient information to purchasers and consumers of the thermostats for the purchasers or consumers to ensure that mercury in thermostats being removed from service is reused or recycled or otherwise managed in compliance with section 115A.932. A manufacturer that has complied with this subdivision is not liable for improper disposal by purchasers or consumers of thermostats.

(c) A manufacturer subject to this subdivision, or an organization of such manufacturers and its officers, members, employees, and agents, may participate in projects or programs to collect and properly manage waste thermostats. Any person who participates in such a project or program is immune from liability under state law relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce for activities related to the collection and management of the thermostats under this subdivision.

(d) A manufacturer or organization of manufacturers that participates in a project or program under paragraph (c) must report at least annually to the agency. The report must:

- (1) describe how the program operates;
- (2) describe who is eligible to participate in the program;
- (3) identify participants; and
- (4) state the number of thermostats remitted by each participant.

(e) For the purposes of this subdivision, "thermostat" means a temperature control device that may contain elemental mercury in a sealed component that serves as a switch or temperature-sensing element and a sealed component that has been removed from such a temperature control device.

Sec. 4. Minnesota Statutes 2012, section 116.92, subdivision 6, is amended to read:

Subd. 6. **Mercury thermometers prohibited.** (a) A manufacturer, wholesaler, or retailer may not sell or distribute at no cost a thermometer containing mercury that was manufactured after June 1, 2001.

(b) Paragraph (a) does not apply to:

~~(1) an electronic thermometer with a battery containing mercury if the battery is in compliance with section 325E.125;~~

~~(2) a mercury thermometer used for food research and development or food processing, including meat, dairy products, and pet food processing;~~

~~(3) a mercury thermometer that is a component of an animal agriculture climate control system or industrial measurement system until such time as the system is replaced or a nonmercury component for the system is available; or~~

~~(4) a mercury thermometer used for calibration of other thermometers, apparatus, or equipment, unless a nonmercury calibration standard is approved for the application by the National Institute of Standards and Technology.~~

(c) A manufacturer is in compliance with this subdivision if the manufacturer:

(1) has received an exclusion or exemption from a state that is a member of the Interstate Mercury Education and Reduction Clearinghouse (IMERC) for replacement parts when no alternative is available or for an application when no feasible alternative is available;

(2) submits a copy of the approved exclusion or exemption to the commissioner; and

(3) meets all of the requirements in the approved exclusion or exemption for the manufacturer's activities within the state.

Sec. 5. Minnesota Statutes 2012, section 116.92, is amended by adding a subdivision to read:

Subd. 8k. **Ban; mercury in balancing and dampening products and equipment.** A person may not sell, offer for sale, distribute, install, or use in the state a mercury-containing product or mercury-containing equipment that is used for balancing, dampening, or providing a weight or counterweight function.

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 6. **[116.931] WHEEL WEIGHTS AND BALANCING PRODUCTS; LEAD AND MERCURY PROHIBITION.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Motor vehicle" means a self-propelled vehicle or a vehicle propelled or drawn by a self-propelled vehicle that is operated on a highway, on a railroad track, on the ground, in the water, or in the air.

(c) "New motor vehicle" means a motor vehicle that has not been previously sold to a person except a distributor, wholesaler, or motor vehicle dealer for resale.

Subd. 2. **Tire service.** When replacing or balancing a tire on a motor vehicle or aircraft, a person may not use a wheel weight or other product for balancing motor vehicle or aircraft wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

Subd. 3. **Sales ban.** A person may not sell or offer to sell or distribute weights or other products for balancing motor vehicle or aircraft wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

Subd. 4. **New motor vehicles.** A person may not sell a new motor vehicle or aircraft that is equipped with a weight or other product for balancing wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

Subd. 5. **Salvage.** A person may not shred or crush, or market for shredding or crushing, any motor vehicle, aircraft, watercraft, or railroad or industrial equipment, or any portion thereof, without:

(1) inspecting the vehicle or equipment; and

(2) removing all weights or other products for balancing wheels or other equipment if the weights or balancing products contain lead or mercury that was intentionally added during the manufacture of the weights or balancing products.

Subd. 6. **Management of wheel weights and balancing products.** Mercury in wheel weights and other balancing products for motor vehicle and aircraft wheels must be recycled or otherwise managed to comply with sections 115A.932 and 116.92 and to ensure that it does not become part of the solid waste stream and is not released to the environment. Lead in wheel weights and other balancing products for motor vehicle and aircraft wheels must be recycled to ensure that it does not become part of the solid waste stream and is not released to the environment.

Subd. 7. **Educational materials; outreach.** Prior to the effective date of this section, the agency shall produce and distribute educational materials on the prohibitions required under this section to businesses subject to the prohibitions and shall conduct additional outreach and education activities to those businesses.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 7. Minnesota Statutes 2013 Supplement, section 325F.176, is amended to read:

**325F.176 DEFINITIONS.**

(a) For the purposes of sections 325F.176 to 325F.178, the following terms have the meanings given them.

(b) "Child" means a person under eight years of age.

(c) "Children's product" means a product primarily designed or intended by a manufacturer to be physically applied to or introduced into a child's body, including any article used as a component of such a product and excluding a food, beverage, dietary supplement, pharmaceutical product or biologic, children's toys that are covered by the ASTM International F963 standard for Toy Safety, or a medical device as defined in the federal Food, Drug, and Cosmetic Act, United States Code, title 21, section 321(h), as amended through February 15, 2013.

(d) "Intentionally added chemical" means a chemical in a product that serves an intended function in the product.

Sec. 8. Minnesota Statutes 2013 Supplement, section 325F.177, is amended to read:

**325F.177 FORMALDEHYDE IN CHILDREN'S PRODUCTS; BAN.**

(a) Beginning August 1, 2014, no manufacturer or wholesaler may sell or offer for sale in this state a children's product that intentionally contains:

(1) formaldehyde, including formaldehyde contained in a solution; or

(2) intentionally added chemical ingredients that chemically degrade under normal conditions of temperature and pressure to release free formaldehyde at levels exceeding a de minimis level of 0.05 percent.

(b) Beginning August 1, 2015, no retailer may sell or offer for sale in this state a children's product that intentionally contains:

(1) formaldehyde, including formaldehyde contained in a solution; or

(2) intentionally added chemical ingredients that chemically degrade under normal conditions of temperature and pressure to release free formaldehyde at levels exceeding a de minimis level of 0.05 percent."

Delete the title and insert:

"A bill for an act relating to environment; prohibiting and regulating certain lead and mercury products; modifying ban on formaldehyde in children's products; amending Minnesota Statutes 2012, sections 115A.932, subdivision 1; 116.92, subdivisions 4, 5, 6, by adding a subdivision; Minnesota Statutes 2013 Supplement, sections 325F.176; 325F.177; proposing coding for new law in Minnesota Statutes, chapter 116."

The motion prevailed and the amendment was adopted.

Mullery moved to amend S. F. No. 2192, the fourth engrossment, as amended, as follows:

Page 2, after line 6, insert:

"Sec. 2. **[116.861] CITATION.**

Sections 116.861 to 116.863 may be cited as the "Environmental Justice Act."

Sec. 3. **[116.862] DEFINITIONS.**

For purposes of sections 116.861 to 116.863:

(1) "agency" means the Pollution Control Agency;

(2) "commissioner" means the commissioner of the Pollution Control Agency; and

(3) "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, and income levels in the development, adoption, implementation, and enforcement of environmental laws and policies.

Sec. 4. **[116.863] CREATION AND IMPLEMENTATION OF ENVIRONMENTAL JUSTICE POLICY.**

(a) It is the policy of the state to ensure that communities are afforded fair treatment and meaningful involvement in environmental decision making regardless of race, color, ethnicity, religion, income, or education level.

(b) The agency shall develop, adopt, and implement an environmental justice policy that promotes fair treatment and meaningful involvement of all people, regardless of race, color, ethnicity, religion, income, or education level.

(c) The agency's environmental justice policy shall:

(1) include procedures and criteria for evaluating environmental and demographic information to highlight areas of potential concern for environmental justice;

(2) identify procedures and steps that the agency will take during permitting, environmental review, rulemaking, and other actions to identify and remove barriers to the meaningful involvement of all citizens in areas with potential environmental justice concerns. The procedures shall include processes for evaluating language proficiencies within a community and determining actions to take to ensure meaningful access and communication;

(3) develop ways to identify disproportionate environmental and human health impacts that may affect a given community as a result of pollution from multiple sources over time;

(4) develop procedures to integrate awareness of disproportionate environmental and human health impacts into the agency's decision-making with respect to permitting, compliance and enforcement, environmental review, environmental monitoring and analysis, and other agency functions. Such procedures may include guidance, checklists, best practices, and voluntary reductions in pollutants by other facilities;

(5) include plans to coordinate the agency's environmental justice efforts with other state agencies and the federal Environmental Protection Agency to accomplish the agency's environmental justice policy;

(6) examine how to develop measures to evaluate progress and the effectiveness of the agency's environmental justice policy; and

(7) identify any additional resources or statutory changes needed to implement the agency's environmental justice policy.

(d) The agency's environmental justice policy shall be completed and submitted to the chairs and ranking minority members of the senate and house committees with jurisdiction over environmental policy and finance by June 30, 2015."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Loeffler moved to amend S. F. No. 2192, the fourth engrossment, as amended, as follows:

Page 5, after line 15, insert:

"Sec. 7. **[145.945] CERTAIN SALES OF CLEANING PRODUCTS PROHIBITED.**

Subdivision 1. **Prohibition.** In order to prevent the spread of infectious disease and avoidable infections and to promote best practices in sanitation, no person shall offer for retail sale in Minnesota any cleaning product that contains triclosan and is used for sanitizing or hand and body cleansing.

Subd. 2. **Exception.** The prohibition in subdivision 1 shall not apply to individual products for which specific United States Food and Drug Administration approval for consumer use has been secured.

**EFFECTIVE DATE.** This section is effective January 1, 2016."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Atkins moved to amend the Loeffler amendment to S. F. No. 2192, the fourth engrossment, as amended, as follows:

Page 1, line 8, after "used" insert "by consumers"

Page 1, line 13, delete "2016" and insert "2017"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Loeffler amendment, as amended, and the roll was called. There were 101 yeas and 29 nays as follows:

Those who voted in the affirmative were:

|              |              |            |          |         |          |
|--------------|--------------|------------|----------|---------|----------|
| Abeler       | Anderson, S. | Barrett    | Bly      | Clark   | Dehn, R. |
| Allen        | Anzelc       | Beard      | Brynaert | Cornish | Dill     |
| Anderson, P. | Atkins       | Benson, J. | Carlson  | Davnie  | Dorholt  |

|              |             |            |            |            |              |
|--------------|-------------|------------|------------|------------|--------------|
| Erhardt      | Hausman     | Kresha     | McNamar    | Paymar     | Slocum       |
| Erickson, R. | Hilstrom    | Laine      | McNamara   | Pelowski   | Sundin       |
| Falk         | Hoppe       | Lenczewski | Melin      | Persell    | Swedzinski   |
| Faust        | Hornstein   | Lesch      | Metsa      | Petersburg | Theis        |
| Fischer      | Hortman     | Liebling   | Moran      | Poppe      | Uglem        |
| Franson      | Howe        | Lien       | Morgan     | Radinovich | Urdahl       |
| Freiberg     | Huntley     | Lillie     | Mullery    | Rosenthal  | Wagenius     |
| Fritz        | Isaacson    | Loeffler   | Murphy, E. | Sanders    | Ward, J.A.   |
| Green        | Johnson, B. | Loon       | Murphy, M. | Savick     | Ward, J.E.   |
| Gruenhagen   | Johnson, C. | Mack       | Nelson     | Sawatzky   | Wills        |
| Gunther      | Johnson, S. | Mahoney    | Newton     | Schoen     | Winkler      |
| Halverson    | Kahn        | Mariani    | Nornes     | Selcer     | Yarusso      |
| Hamilton     | Kelly       | Marquart   | Norton     | Simon      | Spk. Thissen |
| Hansen       | Kiel        | Masin      | O'Driscoll | Simonson   |              |

Those who voted in the negative were:

|              |              |           |           |            |           |
|--------------|--------------|-----------|-----------|------------|-----------|
| Albright     | Dean, M.     | Garofalo  | Lohmer    | Peppin     | Scott     |
| Anderson, M. | Dettmer      | Hackbarth | McDonald  | Pugh       | Torkelson |
| Benson, M.   | Drazkowski   | Hertaus   | Myhra     | Quam       | Woodard   |
| Daudt        | Erickson, S. | Kieffer   | Newberger | Runbeck    | Zerwas    |
| Dauids       | Fabian       | Leidiger  | O'Neill   | Schomacker |           |

The motion prevailed and the amendment, as amended, was adopted.

McNamara moved to amend S. F. No. 2192, the fourth engrossment, as amended, as follows:

Page 5, line 15, delete "2015" and insert "2016"

McNamara moved to amend his amendment to S. F. No. 2192, the fourth engrossment, as amended, as follows:

Page 1, line 3, before "2015" insert "July 1," and before "2016" insert "January 1,"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the McNamara amendment, as amended, to S. F. No. 2192, the fourth engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Hortman moved to amend S. F. No. 2192, the fourth engrossment, as amended, as follows:

Page 2, line 21, delete the new language and insert "(a) The definitions in this paragraph apply to this subdivision:"

Page 2, delete lines 22 to 24 and insert:

"(1) "contractor" means a person engaged in the business of installing, servicing, or removing thermostats and other heating, ventilation, and air conditioning components, including a contractor removing thermostats in conjunction with renovation and demolition activities in accordance with Minnesota Rules, part 7035.0805;

(2) "qualified contractor" means a contractor:

(i) who employs seven or more service technicians or installers;

(ii) who is located in an area outside of an urban area, as defined by the United States Census Bureau; or

(iii) whose primary business consists of renovation and demolition activities;

(3) "retailer" means a person who sells thermostats of any kind directly to homeowners or other end-users through any selling or distribution mechanism;

(4) "thermostat" means a temperature control device that may contain elemental mercury in a sealed component that serves as a switch or temperature-sensing element and a sealed component that has been removed from such a temperature control device; and

(5) "wholesaler" means a person engaged in the distribution and wholesale sale of thermostats and other heating, ventilation, and air conditioning components to contractors who install heating, ventilation, and air conditioning components."

Page 2, before line 25, insert:

"(b) A manufacturer of thermostats that contain mercury or that may replace thermostats that contain mercury is responsible for the costs of collecting and managing the replaced mercury-containing thermostats to ensure that the thermostats do not become part of the solid waste stream."

Page 2, line 25, delete "(b)" and insert "(c)"

Page 2, line 27, delete the new language

Page 2, line 32, delete "(c)" and insert "(d)" and after "manufacturer" insert "of thermostats" and delete "such"

Page 2, line 33, after "manufacturers" insert "of thermostats"

Page 3, delete lines 5 to 14 and insert:

"(e) A manufacturer of thermostats or organization of manufacturers of thermostats that participates in a thermostat collection and management program under this subdivision must report at least annually to the agency. The report must include:

(1) a description of how the program operates;

(2) a description of program components, including incentives provided under this subdivision, and an evaluation of the program components' effectiveness in promoting participation and recovery of thermostats;

(3) eligibility criteria for program participants;

(4) a list of program participants; and

(5) the number of thermostats remitted by each program participant during the reporting period.

(f) A wholesaler, qualified contractor, or retailer may participate as a collection site in a manufacturer's mercury thermostat collection and management program required under this subdivision. A wholesaler or retailer that participates as a collection site in a manufacturer's mercury thermostat collection and management program shall post prominent signs at such wholesaler's or retailer's business location regarding the collection and management of mercury thermostats."

Page 4, after line 2, insert:

"Sec. 5. Minnesota Statutes 2012, section 116.92, subdivision 8j, is amended to read:

Subd. 8j. **Exclusion for existing equipment.** The prohibitions in subdivisions 6 and 8b to 8g do not apply if a thermometer, switch, relay, or measuring device is used to replace a thermometer, switch, relay, or measuring device that is a component of a larger product in use prior to January 1, 2008, provided the owner of that equipment has made every reasonable effort to determine that no compatible nonmercury replacement component exists an industrial measurement system or control system until the system is replaced or a nonmercury component for the system is available. The owner of the system shall notify the commissioner within 30 days of replacing the component and identify the replacement mercury component that was installed."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Lillie was excused between the hours of 12:45 p.m. and 1:15 p.m.

S. F. No. 2192, A bill for an act relating to environment; prohibiting and regulating certain lead and mercury products; regulating certain products containing formaldehyde; amending Minnesota Statutes 2012, sections 115A.932, subdivision 1; 116.92, subdivisions 4, 5, 6, 8j, by adding a subdivision; Minnesota Statutes 2013 Supplement, sections 325F.176; 325F.177; proposing coding for new law in Minnesota Statutes, chapter 116.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 92 yeas and 38 nays as follows:

Those who voted in the affirmative were:

|              |              |           |             |          |            |
|--------------|--------------|-----------|-------------|----------|------------|
| Abeler       | Clark        | Freiberg  | Huntley     | Lesch    | McNamara   |
| Allen        | Davnie       | Fritz     | Isaacson    | Liebling | Melin      |
| Anderson, P. | Dehn, R.     | Gunther   | Johnson, C. | Lien     | Metsa      |
| Anzelc       | Dill         | Halverson | Johnson, S. | Loeffler | Moran      |
| Atkins       | Dorholt      | Hamilton  | Kahn        | Loon     | Morgan     |
| Barrett      | Erhardt      | Hansen    | Kelly       | Mack     | Mullery    |
| Benson, J.   | Erickson, R. | Hausman   | Kieffer     | Mahoney  | Murphy, E. |
| Bernardy     | Fabian       | Hilstrom  | Kiel        | Mariani  | Murphy, M. |
| Bly          | Falk         | Hornstein | Kresha      | Marquart | Nelson     |
| Brynaert     | Faust        | Hortman   | Laine       | Masin    | Newton     |
| Carlson      | Fischer      | Howe      | Lenczewski  | McNamar  | Norton     |

|            |            |          |           |            |              |
|------------|------------|----------|-----------|------------|--------------|
| O'Driscoll | Poppe      | Schoen   | Sundin    | Wagenius   | Spk. Thissen |
| Paymar     | Radinovich | Selcer   | Theis     | Ward, J.A. |              |
| Pelowski   | Rosenthal  | Simon    | Torkelson | Ward, J.E. |              |
| Persell    | Savick     | Simonson | Uglen     | Winkler    |              |
| Petersburg | Sawatzky   | Slocum   | Urdahl    | Yarusso    |              |

Those who voted in the negative were:

|              |              |             |           |            |         |
|--------------|--------------|-------------|-----------|------------|---------|
| Albright     | Davids       | Green       | Lohmer    | Pugh       | Wills   |
| Anderson, M. | Dean, M.     | Gruenhagen  | McDonald  | Quam       | Woodard |
| Anderson, S. | Dettmer      | Hackbarth   | Myhra     | Runbeck    | Zerwas  |
| Beard        | Drazkowski   | Hertaus     | Newberger | Sanders    |         |
| Benson, M.   | Erickson, S. | Hoppe       | Nornes    | Schomacker |         |
| Cornish      | Franson      | Johnson, B. | O'Neill   | Scott      |         |
| Daudt        | Garofalo     | Leidiger    | Peppin    | Swedzinski |         |

The bill was passed, as amended, and its title agreed to.

The Speaker called Hortman to the Chair.

S. F. No. 511 was reported to the House.

Liebling moved to amend S. F. No. 511, the third engrossment, as follows:

Page 6, line 17, after "upon" insert "written"

Page 6, after line 25, insert:

"(d) Written agreements required under this section shall be maintained at the primary practice site of the registered nurse anesthetist and of the collaborating physician."

Page 10, line 13, after "upon" insert "written"

A roll call was requested and properly seconded.

The question was taken on the Liebling amendment and the roll was called. There were 18 yeas and 110 nays as follows:

Those who voted in the affirmative were:

|              |          |            |           |           |            |
|--------------|----------|------------|-----------|-----------|------------|
| Anderson, P. | Dehn, R. | Hansen     | Lohmer    | Pugh      | Swedzinski |
| Davids       | Dorholt  | Lenczewski | Newberger | Rosenthal | Wills      |
| Dean, M.     | Faust    | Liebling   | Norton    | Selcer    | Winkler    |

Those who voted in the negative were:

|          |              |         |            |          |         |
|----------|--------------|---------|------------|----------|---------|
| Abeler   | Anderson, M. | Atkins  | Benson, J. | Bly      | Clark   |
| Albright | Anderson, S. | Barrett | Benson, M. | Brynaert | Cornish |
| Allen    | Anzelc       | Beard   | Bernardy   | Carlson  | Daudt   |

|              |             |          |            |            |              |
|--------------|-------------|----------|------------|------------|--------------|
| Davnie       | Gunther     | Kelly    | McNamar    | Peppin     | Sundin       |
| Dettmer      | Hackbarth   | Kieffer  | McNamara   | Persell    | Theis        |
| Dill         | Hamilton    | Kiel     | Melin      | Petersburg | Torkelson    |
| Drazkowski   | Hausman     | Kresha   | Metsa      | Poppe      | Uglem        |
| Erhardt      | Hertaus     | Laine    | Moran      | Quam       | Urdahl       |
| Erickson, R. | Hilstrom    | Leidiger | Morgan     | Radinovich | Wagenius     |
| Erickson, S. | Hoppe       | Lesch    | Mullery    | Runbeck    | Ward, J.A.   |
| Fabian       | Hornstein   | Lien     | Murphy, E. | Sanders    | Ward, J.E.   |
| Falk         | Hortman     | Loeffler | Murphy, M. | Savick     | Woodard      |
| Fischer      | Howe        | Loon     | Myhra      | Sawatzky   | Yarusso      |
| Franson      | Huntley     | Mack     | Nelson     | Schoen     | Zerwas       |
| Freiberg     | Isaacson    | Mahoney  | Newton     | Schomacker | Spk. Thissen |
| Fritz        | Johnson, B. | Mariani  | Nornes     | Scott      |              |
| Garofalo     | Johnson, C. | Marquart | O'Driscoll | Simon      |              |
| Green        | Johnson, S. | Masin    | O'Neill    | Simonson   |              |
| Gruenhagen   | Kahn        | McDonald | Pelowski   | Slocum     |              |

The motion did not prevail and the amendment was not adopted.

Norton moved to amend S. F. No. 511, the third engrossment, as follows:

Page 4, line 27, delete everything after "nurse" and insert "shall be established by the board based on recommendations from the Advanced Practice Nursing Advisory Council and shall be"

A roll call was requested and properly seconded.

The question was taken on the Norton amendment and the roll was called. There were 48 yeas and 81 nays as follows:

Those who voted in the affirmative were:

|              |              |             |           |            |            |
|--------------|--------------|-------------|-----------|------------|------------|
| Albright     | Dettmer      | Hoppe       | Loeffler  | O'Driscoll | Sanders    |
| Anderson, M. | Dorholt      | Howe        | Lohmer    | O'Neill    | Scott      |
| Anderson, P. | Drazkowski   | Johnson, B. | Loon      | Paymar     | Selcer     |
| Beard        | Erickson, S. | Kieffer     | Mack      | Peppin     | Swedzinski |
| Benson, M.   | Faust        | Laine       | McDonald  | Poppe      | Theis      |
| Davids       | Franson      | Leidiger    | Myhra     | Pugh       | Uglem      |
| Dean, M.     | Gruenhagen   | Lenczewski  | Newberger | Quam       | Wills      |
| Dehn, R.     | Hertaus      | Liebling    | Norton    | Runbeck    | Winkler    |

Those who voted in the negative were:

|              |              |           |             |            |            |
|--------------|--------------|-----------|-------------|------------|------------|
| Abeler       | Clark        | Fritz     | Huntley     | Mariani    | Murphy, M. |
| Allen        | Cornish      | Garofalo  | Isaacson    | Marquart   | Nelson     |
| Anderson, S. | Daudt        | Green     | Johnson, C. | Masin      | Newton     |
| Anzelc       | Davnie       | Gunther   | Johnson, S. | McNamar    | Nornes     |
| Atkins       | Dill         | Hackbarth | Kahn        | McNamara   | Pelowski   |
| Barrett      | Erhardt      | Hamilton  | Kelly       | Melin      | Persell    |
| Benson, J.   | Erickson, R. | Hansen    | Kiel        | Metsa      | Petersburg |
| Bernardy     | Fabian       | Hausman   | Kresha      | Moran      | Radinovich |
| Bly          | Falk         | Hilstrom  | Lesch       | Morgan     | Rosenthal  |
| Brynaert     | Fischer      | Hornstein | Lien        | Mullery    | Savick     |
| Carlson      | Freiberg     | Hortman   | Mahoney     | Murphy, E. | Sawatzky   |

|            |          |           |            |              |
|------------|----------|-----------|------------|--------------|
| Schoen     | Simonson | Torkelson | Ward, J.A. | Yarusso      |
| Schomacker | Slocum   | Urdahl    | Ward, J.E. | Zerwas       |
| Simon      | Sundin   | Wagenius  | Woodard    | Spk. Thissen |

The motion did not prevail and the amendment was not adopted.

Davnie was excused between the hours of 1:25 p.m. and 1:55 p.m.

Liebling moved to amend S. F. No. 511, the third engrossment, as follows:

Page 10, line 15, delete everything after "147"

Page 10, line 16, delete everything before "that"

Page 10, line 17, delete the comma

Page 10, line 18, delete "or advanced practice registered nurses"

A roll call was requested and properly seconded.

The question was taken on the Liebling amendment and the roll was called. There were 21 yeas and 107 nays as follows:

Those who voted in the affirmative were:

|              |       |          |           |           |       |
|--------------|-------|----------|-----------|-----------|-------|
| Albright     | Faust | Kieffer  | Mack      | Rosenthal | Wills |
| Anderson, P. | Hoppe | Leidiger | Newberger | Sanders   |       |
| Davids       | Howe  | Liebling | Norton    | Selcer    |       |
| Dorholt      | Kelly | Lohmer   | Quam      | Uglen     |       |

Those who voted in the negative were:

|              |              |             |            |            |              |
|--------------|--------------|-------------|------------|------------|--------------|
| Abeler       | Dettmer      | Hamilton    | Lillie     | Nelson     | Scott        |
| Allen        | Dill         | Hansen      | Loeffler   | Newton     | Simon        |
| Anderson, M. | Drazkowski   | Hertaus     | Loon       | Nornes     | Simonson     |
| Anderson, S. | Erhardt      | Hilstrom    | Mahoney    | O'Driscoll | Slocum       |
| Anzelc       | Erickson, R. | Hornstein   | Mariani    | O'Neill    | Sundin       |
| Atkins       | Erickson, S. | Hortman     | Marquart   | Paymar     | Swedzinski   |
| Barrett      | Fabian       | Huntley     | Masin      | Pelowski   | Theis        |
| Beard        | Falk         | Isaacson    | McDonald   | Peppin     | Torkelson    |
| Benson, J.   | Fischer      | Johnson, B. | McNamar    | Persell    | Urdahl       |
| Benson, M.   | Franson      | Johnson, C. | McNamara   | Petersburg | Wagenius     |
| Bernardy     | Freiberg     | Johnson, S. | Melin      | Poppe      | Ward, J.A.   |
| Bly          | Fritz        | Kahn        | Metsa      | Pugh       | Ward, J.E.   |
| Brynaert     | Garofalo     | Kiel        | Moran      | Radinovich | Winkler      |
| Carlson      | Green        | Kresha      | Morgan     | Runbeck    | Woodard      |
| Clark        | Gruenhagen   | Laine       | Mullery    | Savick     | Yarusso      |
| Cornish      | Gunther      | Lenczewski  | Murphy, E. | Sawatzky   | Zerwas       |
| Daudt        | Hackbarth    | Lesch       | Murphy, M. | Schoen     | Spk. Thissen |
| Dehn, R.     | Halverson    | Lien        | Myhra      | Schomacker |              |

The motion did not prevail and the amendment was not adopted.

Liebling moved to amend S. F. No. 511, the third engrossment, as follows:

Page 10, line 8, delete "2,080" and insert "6,240"

A roll call was requested and properly seconded.

The question was taken on the Liebling amendment and the roll was called. There were 10 yeas and 119 nays as follows:

Those who voted in the affirmative were:

|        |            |          |           |        |
|--------|------------|----------|-----------|--------|
| Davids | Gruenhagen | Liebling | Newberger | Norton |
| Faust  | Kieffer    | Lohmer   | Newton    | Quam   |

Those who voted in the negative were:

|              |              |             |            |            |              |
|--------------|--------------|-------------|------------|------------|--------------|
| Abeler       | Dehn, R.     | Hansen      | Lesch      | Myhra      | Scott        |
| Albright     | Dettmer      | Hausman     | Lien       | Nelson     | Selcer       |
| Allen        | Dill         | Hertaus     | Lillie     | Nornes     | Simon        |
| Anderson, M. | Dorholt      | Hilstrom    | Loeffler   | O'Driscoll | Simonson     |
| Anderson, P. | Drazkowski   | Hoppe       | Loon       | O'Neill    | Slocum       |
| Anderson, S. | Erhardt      | Hornstein   | Mack       | Paymar     | Swedzinski   |
| Anzelc       | Erickson, R. | Hortman     | Mahoney    | Pelowski   | Theis        |
| Atkins       | Erickson, S. | Howe        | Mariani    | Peppin     | Torkelson    |
| Barrett      | Fabian       | Huntley     | Marquart   | Persell    | Uglen        |
| Beard        | Falk         | Isaacson    | Masin      | Petersburg | Urdahl       |
| Benson, J.   | Fischer      | Johnson, B. | McDonald   | Poppe      | Wagenius     |
| Benson, M.   | Franson      | Johnson, C. | McNamar    | Pugh       | Ward, J.A.   |
| Bernardy     | Freiberg     | Johnson, S. | McNamara   | Radinovich | Ward, J.E.   |
| Bly          | Fritz        | Kahn        | Melin      | Rosenthal  | Wills        |
| Brynaert     | Garofalo     | Kelly       | Metsa      | Runbeck    | Winkler      |
| Carlson      | Green        | Kiel        | Moran      | Sanders    | Woodard      |
| Clark        | Gunther      | Kresha      | Morgan     | Savick     | Yarusso      |
| Cornish      | Hackbarth    | Laine       | Mullery    | Sawatzky   | Zerwas       |
| Daudt        | Halverson    | Leidiger    | Murphy, E. | Schoen     | Spk. Thissen |
| Davnie       | Hamilton     | Lenczewski  | Murphy, M. | Schomacker |              |

The motion did not prevail and the amendment was not adopted.

Liebling moved to amend S. F. No. 511, the third engrossment, as follows:

Page 16, after line 32, insert:

"Sec. 30. Minnesota Statutes 2012, section 148.261, is amended by adding a subdivision to read:

Subd. 6. **Standard of care.** An advanced practice registered nurse licensed under this chapter who is diagnosing, treating, or prescribing under chapter 148 shall be held to the same standard of care as that of a physician licensed under chapter 147 by the state of Minnesota."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Liebling amendment and the roll was called. There were 14 yeas and 116 nays as follows:

Those who voted in the affirmative were:

|              |         |          |           |       |
|--------------|---------|----------|-----------|-------|
| Anderson, P. | Hoppe   | Leidiger | Newberger | Quam  |
| Davids       | Kelly   | Liebling | Norton    | Wills |
| Erickson, S. | Kieffer | Mack     | Pugh      |       |

Those who voted in the negative were:

|              |              |             |            |            |              |
|--------------|--------------|-------------|------------|------------|--------------|
| Abeler       | Dettmer      | Hansen      | Loeffler   | Nornes     | Simonson     |
| Albright     | Dill         | Hausman     | Lohmer     | O'Driscoll | Slocum       |
| Allen        | Dorholt      | Hertaus     | Loon       | O'Neill    | Sundin       |
| Anderson, M. | Drazkowski   | Hilstrom    | Mahoney    | Paymar     | Swedzinski   |
| Anderson, S. | Erhardt      | Hornstein   | Mariani    | Pelowski   | Theis        |
| Anzelc       | Erickson, R. | Hortman     | Marquart   | Peppin     | Torkelson    |
| Atkins       | Fabian       | Howe        | Masin      | Persell    | Uglen        |
| Barrett      | Falk         | Huntley     | McDonald   | Petersburg | Urdahl       |
| Beard        | Faust        | Isaacson    | McNamar    | Poppe      | Wagenius     |
| Benson, J.   | Fischer      | Johnson, B. | McNamara   | Radinovich | Ward, J.A.   |
| Benson, M.   | Franson      | Johnson, C. | Melin      | Rosenthal  | Ward, J.E.   |
| Bernardy     | Freiberg     | Johnson, S. | Metsa      | Runbeck    | Winkler      |
| Bly          | Fritz        | Kahn        | Moran      | Sanders    | Woodard      |
| Brynaert     | Garofalo     | Kiel        | Morgan     | Savick     | Yarusso      |
| Carlson      | Green        | Kresha      | Mullery    | Sawatzky   | Zerwas       |
| Clark        | Gruenhagen   | Laine       | Murphy, E. | Schoen     | Spk. Thissen |
| Cornish      | Gunther      | Lenczewski  | Murphy, M. | Schomacker |              |
| Daudt        | Hackbarth    | Lesch       | Myhra      | Scott      |              |
| Davnie       | Halverson    | Lien        | Nelson     | Selcer     |              |
| Dehn, R.     | Hamilton     | Lillie      | Newton     | Simon      |              |

The motion did not prevail and the amendment was not adopted.

Norton moved to amend S. F. No. 511, the third engrossment, as follows:

Page 22, line 2, delete "and"

Page 22, after line 2, insert:

"(6) review complaints against advanced practice registered nurses and advise the board on disposition of the complaints; and"

Page 22, line 3, delete "(6)" and insert "(7)"

A roll call was requested and properly seconded.

The question was taken on the Norton amendment and the roll was called. There were 26 yeas and 104 nays as follows:

Those who voted in the affirmative were:

|              |            |            |           |           |       |
|--------------|------------|------------|-----------|-----------|-------|
| Albright     | Gruenhagen | Leidiger   | Loon      | Paymar    | Wills |
| Anderson, P. | Hansen     | Lenczewski | Mack      | Quam      |       |
| Brynaert     | Howe       | Liebling   | McDonald  | Rosenthal |       |
| Davids       | Kieffer    | Loeffler   | Newberger | Runbeck   |       |
| Faust        | Laine      | Lohmer     | Norton    | Selcer    |       |

Those who voted in the negative were:

|              |              |             |            |            |              |
|--------------|--------------|-------------|------------|------------|--------------|
| Abeler       | Dettmer      | Hamilton    | Lillie     | O'Driscoll | Sundin       |
| Allen        | Dill         | Hausman     | Mahoney    | O'Neill    | Swedzinski   |
| Anderson, M. | Dorholt      | Hertaus     | Mariani    | Pelowski   | Theis        |
| Anderson, S. | Drazkowski   | Hilstrom    | Marquart   | Peppin     | Torkelson    |
| Anzelc       | Erhardt      | Hoppe       | Masin      | Persell    | Uglen        |
| Atkins       | Erickson, R. | Hornstein   | McNamar    | Petersburg | Urdahl       |
| Barrett      | Erickson, S. | Hortman     | McNamara   | Poppe      | Wagenius     |
| Beard        | Fabian       | Huntley     | Melin      | Pugh       | Ward, J.A.   |
| Benson, J.   | Falk         | Isaacson    | Metsa      | Radinovich | Ward, J.E.   |
| Benson, M.   | Fischer      | Johnson, B. | Moran      | Sanders    | Winkler      |
| Bernardy     | Franson      | Johnson, C. | Morgan     | Savick     | Woodard      |
| Bly          | Freiberg     | Johnson, S. | Mullery    | Sawatzky   | Yarusso      |
| Carlson      | Fritz        | Kahn        | Murphy, E. | Schoen     | Zerwas       |
| Clark        | Garofalo     | Kelly       | Murphy, M. | Schomacker | Spk. Thissen |
| Cornish      | Green        | Kiel        | Myhra      | Scott      |              |
| Daudt        | Gunther      | Kresha      | Nelson     | Simon      |              |
| Davnie       | Hackbarth    | Lesch       | Newton     | Simonson   |              |
| Dehn, R.     | Halverson    | Lien        | Nornes     | Slocum     |              |

The motion did not prevail and the amendment was not adopted.

S. F. No. 511, A bill for an act relating to health; improving access to health care delivered by advanced practice registered nurses; providing penalties; providing for an advisory council; appropriating money; amending Minnesota Statutes 2012, sections 148.171, subdivisions 3, 5, 9, 10, 11, 13, 16, 17, 21, by adding subdivisions; 148.181, subdivision 1; 148.191, subdivision 2; 148.211, subdivision 2, by adding subdivisions; 148.231, subdivisions 1, 4, 5; 148.233, subdivision 2; 148.234; 148.235, by adding subdivisions; 148.251, subdivision 1; 148.261, subdivision 1; 148.262, subdivisions 1, 2, 4; 148.281, subdivision 1, by adding a subdivision; 148.283; 151.01, subdivision 23; 152.12; Minnesota Statutes 2013 Supplement, section 148.271; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 2012, sections 148.171, subdivision 6; 148.235, subdivisions 1, 2, 2a, 4, 4a, 4b, 6, 7; 148.243, subdivision 8; 148.284.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 13 nays as follows:

Those who voted in the affirmative were:

|              |              |            |             |            |            |
|--------------|--------------|------------|-------------|------------|------------|
| Abeler       | Carlson      | Fabian     | Hansen      | Kahn       | Mahoney    |
| Albright     | Clark        | Falk       | Hausman     | Kelly      | Mariani    |
| Allen        | Cornish      | Faust      | Hertaus     | Kiel       | Marquart   |
| Anderson, M. | Daudt        | Fischer    | Hilstrom    | Kresha     | Masin      |
| Anzelc       | Dauids       | Franson    | Hoppe       | Laine      | McDonald   |
| Atkins       | Davnie       | Freiberg   | Hornstein   | Leidiger   | McNamar    |
| Barrett      | Dehn, R.     | Fritz      | Hortman     | Lenczewski | McNamara   |
| Beard        | Dettmer      | Garofalo   | Howe        | Lesch      | Melin      |
| Benson, J.   | Dill         | Green      | Huntley     | Lien       | Metsa      |
| Benson, M.   | Dorholt      | Gruenhagen | Isaacson    | Lillie     | Moran      |
| Bernardy     | Drazkowski   | Gunther    | Johnson, B. | Loeffler   | Morgan     |
| Bly          | Erhardt      | Halverson  | Johnson, C. | Loon       | Mullery    |
| Brynaert     | Erickson, R. | Hamilton   | Johnson, S. | Mack       | Murphy, E. |

|            |            |            |            |            |              |
|------------|------------|------------|------------|------------|--------------|
| Murphy, M. | Paymar     | Rosenthal  | Selcer     | Torkelson  | Winkler      |
| Myhra      | Pelowski   | Runbeck    | Simon      | Uglen      | Woodard      |
| Nelson     | Persell    | Sanders    | Simonson   | Urdahl     | Yarusso      |
| Newton     | Petersburg | Savick     | Slocum     | Wagenius   | Zellers      |
| Nornes     | Poppe      | Sawatzky   | Sundin     | Ward, J.A. | Zerwas       |
| O'Driscoll | Quam       | Schoen     | Swedzinski | Ward, J.E. | Spk. Thissen |
| O'Neill    | Radinovich | Schomacker | Theis      | Wills      |              |

Those who voted in the negative were:

|              |              |           |        |       |
|--------------|--------------|-----------|--------|-------|
| Anderson, P. | Erickson, S. | Liebling  | Norton | Scott |
| Anderson, S. | Hackbarth    | Lohmer    | Peppin |       |
| Dean, M.     | Kieffer      | Newberger | Pugh   |       |

The bill was passed and its title agreed to.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 693:

Atkins, Lesch and Cornish.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2446:

Simonson; Ward, J.E., and Lohmer.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2642:

Atkins, Lillie and Hoppe.

#### CALENDAR FOR THE DAY, Continued

H. F. No. 3169 was reported to the House.

Metsa moved to amend H. F. No. 3169, the third engrossment, as follows:

Page 4, line 5, strike "for" and insert "of"

The motion prevailed and the amendment was adopted.

Metsa moved to amend H. F. No. 3169, the third engrossment, as amended, as follows:

Page 1, line 20, before the period, insert ", the executive, or the judicial branch"

Page 1, line 23, delete the second "or"

Page 1, line 24, delete the period and insert a semicolon

Page 1, after line 24, insert:

"(4) a current or former judge; or

(5) a current or former governor, lieutenant governor, attorney general, secretary of state, or state auditor."

Page 2, line 27, delete "board" and insert "council"

Page 2, line 27, delete "board" and insert "council"

Page 2, line 34, after "state" insert "and the most recent budget forecast"

Page 2, line 34, after "state" insert "and the most recent budget forecast"

Page 3, line 26, after the period, insert "None of the members of the council may be a current or former judge. None of the members of the council may be a current or former governor, lieutenant governor, attorney general, secretary of state, or state auditor. None of the members of the council may be a current employee of an entity in the executive or judicial branch."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Metsa moved to amend his amendment to H. F. No. 3169, the third engrossment, as amended, as follows:

Page 1, delete line 2

Page 1, delete line 10

Page 1, delete line 12

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Metsa amendment, as amended, to H. F. No. 3169, the third engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Anderson, S., moved to amend H. F. No. 3169, the third engrossment, as amended, as follows:

Page 4, line 3, strike "remove"

Page 4, lines 4 and 5, delete the new language and strike the existing language and insert "pay legislators first?"

Page 4, line 9, delete "'Remove Lawmakers'" and insert "'Pay Legislators First.'"

Page 4, delete line 10

A roll call was requested and properly seconded.

The question was taken on the Anderson, S., amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

|              |              |             |            |            |           |
|--------------|--------------|-------------|------------|------------|-----------|
| Abeler       | Dean, M.     | Hamilton    | Lohmer     | Peppin     | Theis     |
| Albright     | Dettmer      | Hertaus     | Loon       | Petersburg | Torkelson |
| Anderson, M. | Drazkowski   | Hoppe       | Mack       | Pugh       | Uglem     |
| Anderson, P. | Erickson, S. | Howe        | McDonald   | Quam       | Urdahl    |
| Anderson, S. | Fabian       | Johnson, B. | McNamara   | Rosenthal  | Wills     |
| Barrett      | Franson      | Kelly       | Myhra      | Runbeck    | Woodard   |
| Beard        | Garfalo      | Kieffer     | Newberger  | Sanders    | Zellers   |
| Benson, M.   | Green        | Kiel        | Nornes     | Schomacker | Zerwas    |
| Cornish      | Gruenhagen   | Kresha      | O'Driscoll | Scott      |           |
| Daudt        | Gunther      | Leidiger    | O'Neill    | Simonson   |           |
| Davids       | Hackbarth    | Lenczewski  | Pelowski   | Swedzinski |           |

Those who voted in the negative were:

|            |              |             |            |            |              |
|------------|--------------|-------------|------------|------------|--------------|
| Allen      | Dorholt      | Hornstein   | Loeffler   | Murphy, M. | Simon        |
| Anzelc     | Erhardt      | Hortman     | Mahoney    | Nelson     | Slocum       |
| Atkins     | Erickson, R. | Huntley     | Mariani    | Newton     | Sundin       |
| Benson, J. | Falk         | Isaacson    | Marquart   | Norton     | Wagenius     |
| Bernardy   | Faust        | Johnson, C. | Masin      | Paymar     | Ward, J.A.   |
| Bly        | Fischer      | Johnson, S. | McNamar    | Persell    | Ward, J.E.   |
| Brynaert   | Freiberg     | Kahn        | Melin      | Poppe      | Winkler      |
| Carlson    | Fritz        | Laine       | Metsa      | Radinovich | Yarusso      |
| Clark      | Halverson    | Lesch       | Moran      | Savick     | Spk. Thissen |
| Davnie     | Hansen       | Liebling    | Morgan     | Sawatzky   |              |
| Dehn, R.   | Hausman      | Lien        | Mullery    | Schoen     |              |
| Dill       | Hilstrom     | Lillie      | Murphy, E. | Selcer     |              |

The motion did not prevail and the amendment was not adopted.

H. F. No. 3169, A bill for an act relating to state government; establishing a legislative salary council; modifying a proposed constitutional amendment to remove lawmakers' power to set their own pay; amending Laws 2013, chapter 124, sections 1; 2; proposing coding for new law in Minnesota Statutes, chapter 15A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 69 yeas and 63 nays as follows:

Those who voted in the affirmative were:

|            |              |           |             |          |            |
|------------|--------------|-----------|-------------|----------|------------|
| Allen      | Clark        | Faust     | Hornstein   | Lesch    | Masin      |
| Anzelc     | Davnie       | Fischer   | Hortman     | Liebling | McNamar    |
| Atkins     | Dehn, R.     | Freiberg  | Huntley     | Lien     | Melin      |
| Benson, J. | Dill         | Fritz     | Isaacson    | Lillie   | Metsa      |
| Bernardy   | Dorholt      | Halverson | Johnson, C. | Loeffler | Moran      |
| Bly        | Erhardt      | Hansen    | Johnson, S. | Mahoney  | Morgan     |
| Brynaert   | Erickson, R. | Hausman   | Kahn        | Mariani  | Mullery    |
| Carlson    | Falk         | Hilstrom  | Laine       | Marquart | Murphy, E. |

|            |         |          |          |            |              |
|------------|---------|----------|----------|------------|--------------|
| Murphy, M. | Paymar  | Sawatzky | Simonson | Ward, J.A. | Spk. Thissen |
| Nelson     | Persell | Schoen   | Slocum   | Ward, J.E. |              |
| Newton     | Poppe   | Selcer   | Sundin   | Winkler    |              |
| Norton     | Savick  | Simon    | Wagenius | Yarusso    |              |

Those who voted in the negative were:

|              |              |             |            |            |           |
|--------------|--------------|-------------|------------|------------|-----------|
| Abeler       | Dean, M.     | Hamilton    | Lohmer     | Peppin     | Theis     |
| Albright     | Dettmer      | Hertaus     | Loon       | Petersburg | Torkelson |
| Anderson, M. | Drazkowski   | Hoppe       | Mack       | Pugh       | Uglen     |
| Anderson, P. | Erickson, S. | Howe        | McDonald   | Quam       | Urdahl    |
| Anderson, S. | Fabian       | Johnson, B. | McNamara   | Radinovich | Wills     |
| Barrett      | Franson      | Kelly       | Myhra      | Rosenthal  | Woodard   |
| Beard        | Garofalo     | Kieffer     | Newberger  | Runbeck    | Zellers   |
| Benson, M.   | Green        | Kiel        | Nornes     | Sanders    | Zerwas    |
| Cornish      | Gruenhagen   | Kresha      | O'Driscoll | Schomacker |           |
| Daudt        | Gunther      | Leidiger    | O'Neill    | Scott      |           |
| Davids       | Hackbarth    | Lenczewski  | Pelowski   | Swedzinski |           |

The bill was passed, as amended, and its title agreed to.

The following Conference Committee Report was received:

#### CONFERENCE COMMITTEE REPORT ON H. F. No. 2576

A bill for an act relating to criminal justice; modifying provisions governing expungement of criminal records; requiring business screening services to delete expunged records; allowing expungement of eviction records in certain cases; appropriating money; amending Minnesota Statutes 2012, sections 245C.22, subdivision 7; 245C.23, subdivision 1; 260B.198, subdivision 6; 332.70, by adding a subdivision; 504B.345, subdivision 1; 609A.02, subdivision 3; 609A.03, subdivisions 1, 5, 7, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 609A.

May 6, 2014

The Honorable Paul Thissen  
Speaker of the House of Representatives

The Honorable Sandra L. Pappas  
President of the Senate

We, the undersigned conferees for H. F. No. 2576 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2576 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 245C.22, subdivision 7, is amended to read:

Subd. 7. **Classification of certain data.** (a) Notwithstanding section 13.46, except as provided in paragraph (f), upon setting aside a disqualification under this section, the identity of the disqualified individual who received the set-aside and the individual's disqualifying characteristics are public data if the set-aside was:

(1) for any disqualifying characteristic under section 245C.15, when the set-aside relates to a child care center or a family child care provider licensed under chapter 245A; or

(2) for a disqualifying characteristic under section 245C.15, subdivision 2.

(b) Notwithstanding section 13.46, upon granting a variance to a license holder under section 245C.30, the identity of the disqualified individual who is the subject of the variance, the individual's disqualifying characteristics under section 245C.15, and the terms of the variance are public data, when the variance:

(1) is issued to a child care center or a family child care provider licensed under chapter 245A; or

(2) relates to an individual with a disqualifying characteristic under section 245C.15, subdivision 2.

(c) The identity of a disqualified individual and the reason for disqualification remain private data when:

(1) a disqualification is not set aside and no variance is granted, except as provided under section 13.46, subdivision 4;

(2) the data are not public under paragraph (a) or (b);

(3) the disqualification is rescinded because the information relied upon to disqualify the individual is incorrect;

(4) the disqualification relates to a license to provide relative child foster care. As used in this clause, "relative" has the meaning given it under section 260C.007, subdivision 27; or

(5) the disqualified individual is a household member of a licensed foster care provider and:

(i) the disqualified individual previously received foster care services from this licensed foster care provider;

(ii) the disqualified individual was subsequently adopted by this licensed foster care provider; and

(iii) the disqualifying act occurred before the adoption.

(d) Licensed family child care providers and child care centers must provide notices as required under section 245C.301.

(e) Notwithstanding paragraphs (a) and (b), the identity of household members who are the subject of a disqualification related set-aside or variance is not public data if:

(1) the household member resides in the residence where the family child care is provided;

(2) the subject of the set-aside or variance is under the age of 18 years; and

(3) the set-aside or variance only relates to a disqualification under section 245C.15, subdivision 4, for a misdemeanor-level theft crime as defined in section 609.52.

(f) When the commissioner has reason to know that a disqualified individual has received an order for expungement for the disqualifying record that does not limit the commissioner's access to the record, and the record was opened or exchanged with the commissioner for purposes of a background study under this chapter, the data that would otherwise become public under paragraph (a) or (b) remain private data.

Sec. 2. Minnesota Statutes 2012, section 245C.23, subdivision 1, is amended to read:

Subdivision 1. **Disqualification that is rescinded or set aside.** (a) If the commissioner rescinds or sets aside a disqualification, the commissioner shall notify the applicant, license holder, or other entity in writing or by electronic transmission of the decision.

(b) In the notice from the commissioner that a disqualification has been rescinded, the commissioner must inform the applicant, license holder, or other entity that the information relied upon to disqualify the individual was incorrect.

(c) Except as provided in paragraph (d), in the notice from the commissioner that a disqualification has been set aside, the commissioner must inform the applicant, license holder, or other entity of the reason for the individual's disqualification and that information about which factors under section 245C.22, subdivision 4, were the basis of the decision to set aside the disqualification are available to the license holder upon request without the consent of the background study subject.

(d) When the commissioner has reason to know that a disqualified individual has received an order for expungement for the disqualifying record that does not limit the commissioner's access to the record, and the record was opened or exchanged with the commissioner for purposes of a background study under this chapter, the information provided under paragraph (c) must only inform the applicant, license holder, or other entity that the disqualifying criminal record is sealed under a court order.

Sec. 3. Minnesota Statutes 2012, section 260B.198, subdivision 6, is amended to read:

Subd. 6. **Expungement.** ~~Except when legal custody is transferred under the provisions of subdivision 1, clause (4), (a) The court may expunge the adjudication of all records relating to delinquency at any time that it deems advisable if the court determines that expungement of the record would yield a benefit to the subject of the record that outweighs the detriment to the public and public safety in sealing the record and the burden on the court and public agencies or jurisdictions in issuing, enforcing, and monitoring the order.~~

(b) In making a determination under this subdivision, the court shall consider:

(1) the age, education, experience, and background, including mental and emotional development, of the subject of the record at the time of commission of the offense;

(2) the circumstances and nature and severity of the offense, including any aggravating or mitigating factors in the commission of the offense;

(3) victim and community impact, including age and vulnerability of the victim;

(4) the level of participation of the subject of the record in the planning and carrying out of the offense, including familial or peer influence in the commission of the offense;

(5) the juvenile delinquency and criminal history of the subject of the record;

(6) the programming history of the subject of the record, including child welfare, school and community-based, and probation interventions, and the subject's willingness to participate meaningfully in programming, probation, or both;

(7) any other aggravating or mitigating circumstance bearing on the culpability or potential for rehabilitation of the subject of the record; and

(8) the benefit that expungement would yield to the subject of the record in pursuing education, employment, housing, or other necessities.

(c) A record expunged under this subdivision prior to the effective date of this act may not be opened or exchanged. A record expunged under this subdivision on or after the effective date of this act is sealed and access only allowed pursuant to paragraph (d).

(d) Notwithstanding paragraph (a), a record that is expunged under this subdivision on or after the effective date of this act may be opened, used, or exchanged between criminal justice agencies in the same manner as a criminal record under section 609A.03, subdivision 7a, paragraph (b).

(e) Section 609A.03, subdivision 3, paragraph (d), applies to the disclosure of private or confidential data in a proceeding under this subdivision. Section 609A.03, subdivision 9, applies to an appeal of an order under this subdivision.

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 4. Minnesota Statutes 2012, section 332.70, is amended by adding a subdivision to read:

Subd. 3a. **Deletion of expunged records.** If a business screening service knows that a criminal record has been sealed, expunged, or is the subject of a pardon, the screening service shall promptly delete the record.

Sec. 5. Minnesota Statutes 2012, section 504B.345, subdivision 1, is amended to read:

Subdivision 1. **General.** (a) If the court or jury finds for the plaintiff, the court shall immediately enter judgment that the plaintiff shall have recovery of the premises, and shall tax the costs against the defendant. The court shall issue execution in favor of the plaintiff for the costs and also immediately issue a writ of recovery of premises and order to vacate.

(b) The court shall give priority in issuing a writ of recovery of premises and order to vacate for an eviction action brought under section 504B.171 or on the basis that the tenant is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property.

(c) If the court or jury finds for the defendant;

(1) the court shall enter judgment for the defendant, tax the costs against the plaintiff, and issue execution in favor of the defendant; and

(2) the court may expunge the records relating to the action under the provisions of section 484.014 or under the court's inherent authority at the time judgment is entered or after that time upon motion of the defendant.

(d) Except in actions brought: (1) under section 504B.291 as required by section 609.5317, subdivision 1; (2) under section 504B.171; or (3) on the basis that the tenant is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property, upon a showing by the defendant that immediate restitution of the premises would work a substantial hardship upon the defendant or the defendant's family, the court shall stay the writ of recovery of premises and order to vacate for a reasonable period, not to exceed seven days.

Sec. 6. Minnesota Statutes 2012, section 609A.02, subdivision 3, is amended to read:

Subd. 3. **Certain criminal proceedings not resulting in conviction.** (a) A petition may be filed under section 609A.03 to seal all records relating to an arrest, indictment or information, trial, or verdict if the records are not subject to section 299C.11, subdivision 1, paragraph (b), and if:

(1) all pending actions or proceedings were resolved in favor of the petitioner. For purposes of this chapter, a verdict of not guilty by reason of mental illness is not a resolution in favor of the petitioner;

(2) the petitioner has successfully completed the terms of a diversion program or stay of adjudication and has not been charged with a new crime for at least one year since completion of the diversion program or stay of adjudication;

(3) the petitioner was convicted of or received a stayed sentence for a petty misdemeanor or misdemeanor and has not been convicted of a new crime for at least two years since discharge of the sentence for the crime;

(4) the petitioner was convicted of or received a stayed sentence for a gross misdemeanor and has not been convicted of a new crime for at least four years since discharge of the sentence for the crime; or

(5) the petitioner was convicted of or received a stayed sentence for a felony violation of an offense listed in paragraph (b), and has not been convicted of a new crime for at least five years since discharge of the sentence for the crime.

(b) Paragraph (a), clause (5), applies to the following offenses:

(1) section 35.824 (altering livestock certificate);

(2) section 62A.41 (insurance regulations);

(3) section 86B.865, subdivision 1 (certification for title on watercraft);

(4) section 152.025 (controlled substance in the fifth degree); or 152.097 (sale of simulated controlled substance);

(5) section 168A.30, subdivision 1 (certificate of title false information); or 169.09, subdivision 14, paragraph (a), clause (2) (accident resulting in great bodily harm);

(6) chapter 201; 203B; or 204C (voting violations);

(7) section 228.45; 228.47; 228.49; 228.50; or 228.51 (false bill of lading);

(8) section 256.984 (false declaration in assistance application);

(9) section 296A.23, subdivision 2 (willful evasion of fuel tax);

(10) section 297D.09, subdivision 1 (failure to affix stamp on scheduled substances);

(11) section 297G.19 (liquor taxation); or 340A.701 (unlawful acts involving liquor);

(12) section 325F.743 (precious metal dealers); or 325F.755, subdivision 7 (prize notices and solicitations);

- (13) section 346.155, subdivision 10 (failure to control regulated animal);
- (14) section 349.2127; or 349.22 (gambling regulations);
- (15) section 588.20 (contempt);
- (16) section 609.27, subdivision 1, clauses (2) to (5) (coercion);
- (17) section 609.31 (leaving state to evade establishment of paternity);
- (18) section 609.485, subdivision 4, paragraph (a), clause (2) or (4) (escape from civil commitment for mental illness);
- (19) section 609.49 (failure to appear in court);
- (20) section 609.52, subdivision 3, clause (3)(a) (theft of \$5,000 or less), or other theft offense that is sentenced under this provision; or 609.52, subdivision 3a, clause (1) (theft of \$1,000 or less with risk of bodily harm);
- (21) section 609.525 (bringing stolen goods into state);
- (22) section 609.526, subdivision 2, clause (2) (metal dealer receiving stolen goods);
- (23) section 609.527, subdivision 5b (possession or use of scanning device or reencoder); 609.528, subdivision 3, clause (3) (possession or sale of stolen or counterfeit check); or 609.529 (mail theft);
- (24) section 609.53 (receiving stolen goods);
- (25) section 609.535, subdivision 2a, paragraph (a), clause (1) (dishonored check over \$500);
- (26) section 609.54, clause (1) (embezzlement of public funds \$2,500 or less);
- (27) section 609.551 (rustling and livestock theft);
- (28) section 609.5641, subdivision 1a, paragraph (a) (wildfire arson);
- (29) section 609.576, subdivision 1, clause (3), item (iii) (negligent fires);
- (30) section 609.595, subdivision 1, clauses (2) to (4), and subdivision 1a, paragraph (a) (criminal damage to property);
- (31) section 609.597, subdivision 3, clause (3) (assaulting or harming police horse);
- (32) section 609.625 (aggravated forgery); 609.63 (forgery); 609.631, subdivision 4, clause (3)(a) (check forgery \$2,500 or less); 609.635 (obtaining signature by false pretense); 609.64 (recording, filing forged instrument); or 609.645 (fraudulent statements);
- (33) section 609.65, clause (1) (false certification by notary); or 609.651, subdivision 4, paragraph (a) (lottery fraud);
- (34) section 609.652 (fraudulent driver's license and identification card);

(35) section 609.66, subdivision 1a, paragraph (a) (discharge of firearm; silencer); or 609.66, subdivision 1b (furnishing firearm to minor);

(36) section 609.662, subdivision 2, paragraph (b) (duty to render aid);

(37) section 609.686, subdivision 2 (tampering with fire alarm);

(38) section 609.746, subdivision 1, paragraph (e) (interference with privacy; subsequent violation or minor victim);

(39) section 609.80, subdivision 2 (interference with cable communications system);

(40) section 609.821, subdivision 2 (financial transaction card fraud);

(41) section 609.822 (residential mortgage fraud);

(42) section 609.825, subdivision 2 (bribery of participant or official in contest);

(43) section 609.855, subdivision 2, paragraph (c), clause (1) (interference with transit operator);

(44) section 609.88 (computer damage); or 609.89 (computer theft);

(45) section 609.893, subdivision 2 (telecommunications and information services fraud);

(46) section 609.894, subdivision 3 or 4 (cellular counterfeiting);

(47) section 609.895, subdivision 3, paragraph (a) or (b) (counterfeited intellectual property);

(48) section 609.896 (movie pirating);

(49) section 624.7132, subdivision 15, paragraph (b) (transfer pistol to minor); 624.714, subdivision 1a (pistol without permit; subsequent violation); or 624.7141, subdivision 2 (transfer of pistol to ineligible person); or

(50) section 624.7181 (rifle or shotgun in public by minor).

(c) Paragraph (a), clause (3) or (4), does not apply if the crime involved domestic abuse or sexual assault, as defined in section 518B.01, subdivision 2, or to violation of an order for protection under section 518B.01, subdivision 14, a harassment restraining order under section 609.748, subdivision 6, a violation of section 609.749, or a violation of section 629.75. This paragraph expires on July 15, 2015.

**EFFECTIVE DATE.** This section is effective January 1, 2015.

**Sec. 7. [609A.025] NO PETITION REQUIRED IN CERTAIN CASES WITH PROSECUTOR AGREEMENT AND NOTIFICATION.**

(a) If the prosecutor agrees to the sealing of a criminal record, the court shall seal the criminal record for a person described in section 609A.02, subdivision 3, without the filing of a petition unless it determines that the interests of the public and public safety in keeping the record public outweigh the disadvantages to the subject of the record in not sealing it.

(b) Before agreeing to the sealing of a record under this section, the prosecutor shall make a good faith effort to notify any identifiable victims of the offense of the intended agreement and the opportunity to object to the agreement.

(c) Subject to paragraph (b), the agreement of the prosecutor to the sealing of records for a person described in section 609A.02, subdivision 3, paragraph (a), clause (2), may occur before or after the criminal charges are dismissed.

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 8. Minnesota Statutes 2012, section 609A.03, subdivision 1, is amended to read:

Subdivision 1. **Petition; filing fee.** An individual who is the subject of a criminal record who is seeking the expungement of the record shall file a petition under this section and pay a filing fee in the amount required under section 357.021, subdivision 2, clause (1). The filing fee may be waived in cases of indigency and shall be waived in the cases described in section 609A.02, subdivision 3, paragraph (a), clause (1).

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 9. Minnesota Statutes 2012, section 609A.03, subdivision 3, is amended to read:

Subd. 3. **Service of petition and proposed order.** (a) The petitioner shall serve by mail the petition for expungement and a proposed expungement order on the prosecutorial office that had jurisdiction over the offense for which expungement is sought and all other state and local government agencies and jurisdictions whose records would be affected by the proposed order. The petitioner shall also serve by mail the attorney for each agency and jurisdiction.

(b) The prosecutorial office that had jurisdiction over the offense for which expungement is sought shall serve by mail the petition for expungement and a proposed expungement order on any victims of the offense for which expungement is sought who have requested notice of expungement pursuant to section 611A.06. Service under this paragraph does not constitute a violation of an existing order for protection, restraining order, or other no contact order.

(c) The prosecutorial office's notice to victims of the offense under this subdivision must specifically inform the victims of the victims' right to be present and to submit an oral or written statement at the expungement hearing described in subdivision 4.

(d) An agency or jurisdiction that is served with a petition under this subdivision may submit to the court private or confidential data on the petitioner that the agency or jurisdiction determines is necessary to respond to the petition. As part of the submission, the agency or jurisdiction shall inform the court and the petitioner that the submission contains private or confidential data that may become accessible to the public as part of the expungement proceeding. The petitioner may, at the time of filing the petition or after that time, file a request with the court to seal the private or confidential data that are submitted by the agency or jurisdiction.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 10. Minnesota Statutes 2012, section 609A.03, subdivision 5, is amended to read:

Subd. 5. **Nature of remedy; standard.** (a) Except as otherwise provided by paragraph (b), expungement of a criminal record is an extraordinary remedy to be granted only upon clear and convincing evidence that it would yield a benefit to the petitioner commensurate with the disadvantages to the public and public safety of:

(1) sealing the record; and

(2) burdening the court and public authorities to issue, enforce, and monitor an expungement order.

(b) Except as otherwise provided by this paragraph, if the petitioner is petitioning for the sealing of a criminal record under section 609A.02, subdivision 3, paragraph (a), clause (1) or (2), the court shall grant the petition to seal the record unless the agency or jurisdiction whose records would be affected establishes by clear and convincing evidence that the interests of the public and public safety outweigh the disadvantages to the petitioner of not sealing the record.

(c) In making a determination under this subdivision, the court shall consider:

(1) the nature and severity of the underlying crime, the record of which would be sealed;

(2) the risk, if any, the petitioner poses to individuals or society;

(3) the length of time since the crime occurred;

(4) the steps taken by the petitioner toward rehabilitation following the crime;

(5) aggravating or mitigating factors relating to the underlying crime, including the petitioner's level of participation and context and circumstances of the underlying crime;

(6) the reasons for the expungement, including the petitioner's attempts to obtain employment, housing, or other necessities;

(7) the petitioner's criminal record;

(8) the petitioner's record of employment and community involvement;

(9) the recommendations of interested law enforcement, prosecutorial, and corrections officials;

(10) the recommendations of victims or whether victims of the underlying crime were minors;

(11) the amount, if any, of restitution outstanding, past efforts made by the petitioner toward payment, and the measures in place to help ensure completion of restitution payment after expungement of the record if granted; and

(12) other factors deemed relevant by the court.

~~(d)~~ (d) Notwithstanding section 13.82, 13.87, or any other law to the contrary, if the court issues an expungement order it may require that the criminal record be sealed, the existence of the record not be revealed, and the record not be opened except as required under subdivision 7. Records must not be destroyed or returned to the subject of the record.

(e) Information relating to a criminal history record of an employee, former employee, or tenant that has been expunged before the occurrence of the act giving rise to the civil action may not be introduced as evidence in a civil action against a private employer or landlord or its employees or agents that is based on the conduct of the employee, former employee, or tenant.

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 11. Minnesota Statutes 2012, section 609A.03, is amended by adding a subdivision to read:

**Subd. 6a. Order when context and circumstances of the underlying crime indicate a nexus between the criminal record to be expunged and person's status as a crime victim.** If the court finds, under section 609A.03, subdivision 5, paragraph (c), clause (5), that the context and circumstances of the underlying crime indicate a nexus between the criminal record to be expunged and the person's status as a crime victim, then the effect of the court order to seal the record of the proceedings shall be to restore the person, in the contemplation of the law, to the status the person occupied before the arrest, indictment, or information. The person shall not be guilty of perjury or otherwise of giving a false statement if the person fails to acknowledge the arrest, indictment, information, or trial in response to any inquiry made for any purpose. The court may request a sworn statement from a staff member of a state-funded victim services organization or a licensed health care provider as evidence to support a determination under section 609A.03, subdivision 5.

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 12. Minnesota Statutes 2012, section 609A.03, subdivision 7, is amended to read:

**Subd. 7. Limitations of order.** (a) Upon issuance of an expungement order related to a charge supported by probable cause, the DNA samples and DNA records held by the Bureau of Criminal Apprehension and collected under authority other than section 299C.105, shall not be sealed, returned to the subject of the record, or destroyed.

(b) Notwithstanding the issuance of an expungement order:

(1) an expunged record may be opened for purposes of a criminal investigation, prosecution, or sentencing, upon an ex parte court order;

(2) an expunged record of a conviction may be opened for purposes of evaluating a prospective employee in a criminal justice agency without a court order; and

(3) an expunged record of a conviction may be opened for purposes of a background study under section 245C.08 unless the court order for expungement is directed specifically to the commissioner of human services.

Upon request by law enforcement, prosecution, or corrections authorities, an agency or jurisdiction subject to an expungement order shall inform the requester of the existence of a sealed record and of the right to obtain access to it as provided by this paragraph. For purposes of this section, a "criminal justice agency" means courts or a government agency that performs the administration of criminal justice under statutory authority.

**(c) This subdivision applies to expungement orders subject to its limitations and effective before January 1, 2015.**

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 13. Minnesota Statutes 2012, section 609A.03, is amended by adding a subdivision to read:

**Subd. 7a. Limitations of order.** (a) Upon issuance of an expungement order related to a charge supported by probable cause, the DNA samples and DNA records held by the Bureau of Criminal Apprehension and collected under authority other than section 299C.105 shall not be sealed, returned to the subject of the record, or destroyed.

**(b) Notwithstanding the issuance of an expungement order:**

(1) except as provided in clause (2), an expunged record may be opened, used, or exchanged between criminal justice agencies without a court order for the purposes of initiating, furthering, or completing a criminal investigation or prosecution or for sentencing purposes or providing probation or other correctional services;

(2) when a criminal justice agency seeks access to a record that was sealed under section 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing for lack of probable cause, for purposes of a criminal investigation, prosecution, or sentencing, the requesting agency must obtain an ex parte court order after stating a good-faith basis to believe that opening the record may lead to relevant information;

(3) an expunged record of a conviction may be opened for purposes of evaluating a prospective employee in a criminal justice agency without a court order;

(4) an expunged record of a conviction may be opened for purposes of a background study under section 245C.08 unless the commissioner had been properly served with notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner of human services;

(5) an expunged record of a conviction may be opened for purposes of a background check required under section 122A.18, subdivision 8, unless the court order for expungement is directed specifically to the Board of Teaching or the licensing division of the Department of Education; and

(6) the court may order an expunged record opened upon request by the victim of the underlying offense if the court determines that the record is substantially related to a matter for which the victim is before the court.

(c) An agency or jurisdiction subject to an expungement order shall maintain the record in a manner that provides access to the record by a criminal justice agency under paragraph (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau of Criminal Apprehension shall notify the commissioner of human services, the Board of Teaching, or the licensing division of the Department of Education of the existence of a sealed record and of the right to obtain access under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to the expungement order shall provide access to the record to the commissioner of human services, the Board of Teaching, or the licensing division of the Department of Education under paragraph (b), clause (4) or (5).

(d) An expunged record that is opened or exchanged under this subdivision remains subject to the expungement order in the hands of the person receiving the record.

(e) A criminal justice agency that receives an expunged record under paragraph (b), clause (1) or (2), must maintain and store the record in a manner that restricts the use of the record to the investigation, prosecution, or sentencing for which it was obtained.

(f) For purposes of this section, a "criminal justice agency" means a court or government agency that performs the administration of criminal justice under statutory authority.

(g) This subdivision applies to expungement orders subject to its limitations and effective on or after January 1, 2015.

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 14. Minnesota Statutes 2012, section 609A.03, subdivision 8, is amended to read:

Subd. 8. **Distribution and confirmation of expungement orders.** (a) The court administrator shall send a copy of an expungement order to each agency and jurisdiction whose records are affected by the terms of the order and send a letter to the petitioner identifying each agency that received the order.

(b) If requested in the petition, each agency and jurisdiction receiving the order must send a letter to the petitioner at an address provided in the petition confirming the receipt of the expungement order and that the record has been expunged.

(c) Data on the petitioner in a letter sent under this subdivision are private data on individuals as defined in section 13.02.

**EFFECTIVE DATE.** This section is effective January 1, 2015.

Sec. 15. **[609A.04] REMEDY.**

An individual whose record is expunged under this chapter or other law may bring an action under section 13.08 against a government entity that knowingly opens or exchanges the expunged record in a manner not authorized by law."

Delete the title and insert:

"A bill for an act relating to criminal justice; modifying provisions governing expungement of criminal records; requiring business screening services to delete expunged records; allowing expungement of eviction records in certain cases; amending Minnesota Statutes 2012, sections 245C.22, subdivision 7; 245C.23, subdivision 1; 260B.198, subdivision 6; 332.70, by adding a subdivision; 504B.345, subdivision 1; 609A.02, subdivision 3; 609A.03, subdivisions 1, 3, 5, 7, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 609A."

We request the adoption of this report and repassage of the bill.

House Conferees: CARLY MELIN, DEBRA HILSTROM and TONY CORNISH.

Senate Conferees: BOBBY JOE CHAMPION, BRANDEN PETERSEN and BARB GOODWIN.

Melin moved that the report of the Conference Committee on H. F. No. 2576 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2576, A bill for an act relating to criminal justice; modifying provisions governing expungement of criminal records; requiring business screening services to delete expunged records; allowing expungement of eviction records in certain cases; appropriating money; amending Minnesota Statutes 2012, sections 245C.22, subdivision 7; 245C.23, subdivision 1; 260B.198, subdivision 6; 332.70, by adding a subdivision; 504B.345, subdivision 1; 609A.02, subdivision 3; 609A.03, subdivisions 1, 5, 7, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 609A.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 84 yeas and 48 nays as follows:

Those who voted in the affirmative were:

|        |            |          |         |          |              |
|--------|------------|----------|---------|----------|--------------|
| Abeler | Atkins     | Bernardy | Carlson | Davnie   | Dorholt      |
| Allen  | Beard      | Bly      | Clark   | Dehn, R. | Erhardt      |
| Anzelc | Benson, J. | Brynaert | Cornish | Dill     | Erickson, R. |

|           |             |          |            |            |              |
|-----------|-------------|----------|------------|------------|--------------|
| Falk      | Hortman     | Lien     | Moran      | Pelowski   | Slocum       |
| Faust     | Huntley     | Lillie   | Morgan     | Persell    | Sundin       |
| Fischer   | Isaacson    | Loeffler | Mullery    | Poppe      | Swedzinski   |
| Freiberg  | Johnson, C. | Mahoney  | Murphy, E. | Radinovich | Urdahl       |
| Fritz     | Johnson, S. | Mariani  | Murphy, M. | Rosenthal  | Wagenius     |
| Gunther   | Kahn        | Marquart | Nelson     | Savick     | Ward, J.A.   |
| Halverson | Kieffer     | Masin    | Newberger  | Sawatzky   | Ward, J.E.   |
| Hansen    | Laine       | McNamar  | Newton     | Schoen     | Winkler      |
| Hausman   | Lenczewski  | McNamara | Nornes     | Selcer     | Woodard      |
| Hilstrom  | Lesch       | Melin    | Norton     | Simon      | Yarusso      |
| Hornstein | Liebling    | Metsa    | Paymar     | Simonson   | Spk. Thissen |

Those who voted in the negative were:

|              |              |             |          |            |            |
|--------------|--------------|-------------|----------|------------|------------|
| Albright     | Dean, M.     | Gruenhagen  | Kiel     | O'Driscoll | Schomacker |
| Anderson, M. | Dettmer      | Hackbarth   | Kresha   | O'Neill    | Scott      |
| Anderson, P. | Drazkowski   | Hamilton    | Leidiger | Peppin     | Theis      |
| Anderson, S. | Erickson, S. | Hertaus     | Lohmer   | Petersburg | Torkelson  |
| Barrett      | Fabian       | Hoppe       | Loon     | Pugh       | Uglen      |
| Benson, M.   | Franson      | Howe        | Mack     | Quam       | Wills      |
| Daudt        | Garofalo     | Johnson, B. | McDonald | Runbeck    | Zellers    |
| Dauids       | Green        | Kelly       | Myhra    | Sanders    | Zerwas     |

The bill was repassed, as amended by Conference, and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2670, A bill for an act relating to occupations; modifying licensing provisions for architecture, engineering, land surveying, landscape architecture, geoscience, and interior design professions; amending Minnesota Statutes 2012, sections 326.02, subdivisions 3, 4; 326.04; 326.10, subdivisions 1, 2a, 7, 9; 326.107, subdivisions 1, 2, 7; 326.111, subdivision 3; 326.12, subdivision 2; repealing Minnesota Statutes 2012, section 326.107, subdivision 5.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2092, A bill for an act relating to motor vehicles; license plates; authorizing a veteran's special motorcycle plate for combat wounded veterans; amending Minnesota Statutes 2012, section 168.123, subdivision 1.

JOANNE M. ZOFF, Secretary of the Senate

Brynaert moved that the House refuse to concur in the Senate amendments to H. F. No. 2092, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2214, A bill for an act relating to transportation; making technical changes to provisions affecting the Department of Transportation; clarifying contracting requirements; modifying U-turn rules; providing bridge inspection authority in certain instances; modifying seasonal load restrictions; modifying Web site requirements to advertise for bids; modifying reporting requirements; modifying appropriations; amending Minnesota Statutes 2012, sections 16A.124, subdivision 5; 161.32, subdivision 5; 162.06, subdivision 1; 162.081, subdivision 4; 162.12, subdivision 1; 165.03, subdivision 3; 165.12, subdivision 1; 169.19, subdivision 2; 169.781, subdivision 10; 169.782, subdivision 4; 169.865, subdivision 2; 169.87, subdivision 6; 171.02, subdivision 2; 171.03; 174.37, subdivision 6; 221.031, by adding subdivisions; 331A.12; Minnesota Statutes 2013 Supplement, sections 161.44, subdivision 1a; 169.19, subdivision 1; 174.12, subdivision 2; Laws 2010, chapter 189, sections 15, subdivision 12; 26, subdivision 4; Laws 2012, chapter 287, article 2, sections 1; 3; Laws 2012, First Special Session chapter 1, article 1, section 28; Laws 2013, chapter 127, section 67; repealing Minnesota Statutes 2012, section 161.115, subdivision 240; Minnesota Statutes 2013 Supplement, section 221.0314, subdivision 9a.

JOANNE M. ZOFF, Secretary of the Senate

Sawatzky moved that the House refuse to concur in the Senate amendments to H. F. No. 2214, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2092:

Brynaert, Erhardt and Cornish.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2214:

Sawatzky, Sundin and Hornstein.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Murphy, E., from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Monday, May 12, 2014 and established a prefiling requirement for amendments offered to the following bills:

S. F. Nos. 1722 and 2422; and H. F. Nos. 2167, 2491 and 2031.

**MOTIONS AND RESOLUTIONS**

Dehn, R., moved that the name of Allen be added as an author on H. F. No. 276. The motion prevailed.

Persell moved that the name of Falk be added as an author on H. F. No. 1874. The motion prevailed.

Selcer moved that the name of Fischer be added as an author on H. F. No. 2284. The motion prevailed.

Schoen moved that the name of Lillie be added as an author on H. F. No. 2307. The motion prevailed.

Norton moved that the name of Isaacson be added as an author on H. F. No. 2672. The motion prevailed.

Lesch moved that the name of Metsa be added as an author on H. F. No. 2925. The motion prevailed.

McDonald moved that the names of Abeler; Anderson, P.; Nornes; Dettmer; Torkelson and Hertaus be added as authors on H. F. No. 3371. The motion prevailed.

Daudt moved that the name of Torkelson be added as an author on H. F. No. 3375. The motion prevailed.

**ADJOURNMENT**

Murphy, E., moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, May 9, 2014. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and Speaker pro tempore Hortman declared the House stands adjourned until 10:00 a.m., Friday, May 9, 2014.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

